

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL
HELD ON TUESDAY, JULY 3, 2007 IN THE MUNICIPAL OFFICE,
COUNCIL CHAMBERS**

Present: Mayor J. Hunter

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

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

Press (2)

Absent: Councillor S. Hurley

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

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

Motion 07:07:01 Moved by Councillor Thorogood to approve the agenda as presented with the following additions:

- 9(a) County of Stettler No. 6 re: Bylaw 1954-07 & 1955-07
- 12(a) Tagish Engineering re: Red Willow Creek Drainage Improvements.

MOTION CARRIED
Unanimous

3. **Confirmation of Minutes:**

- (a) Minutes of the Regular Meeting of Council held June 19, 2007

Motion 07:07:02

Moved by Councillor Richards that the Minutes of the Regular Meeting of Council held on June 19, 2007 be approved as presented.

MOTION CARRIED
Unanimous

- (b) Business Arising from the June 19, 2007 Minutes

None

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

5. **Delegations:** (a) 7:30 p.m. D. Denholm & G. Peterson, – Recycling Committee

This item was dealt with later in the meeting.

6. **Administration:** (a) Request for Certificate – Condominium Plan Division of Building

Town Manager R. Stoutenberg explained that Robins Nest Development Inc., the developer/owner of the new 26 unit apartment building in Emmerson Estates, has decided to convert their apartment/rental complex into individually owned condominium units.

Town Manager R. Stoutenberg further reviewed the Memorandum from W. Holowachuk, Development Officer which outlines the relevant provisions of the

Municipal Government Act and the *Condominium Property Act* respecting Council's authority and responsibility to provide a certificate (approving the proposed division of the building) if it is satisfied that all previously issued development permit conditions and relevant Town planning bylaws have been complied with. There is no further Council consideration required because the surface boundaries of the parcel of land on which the building is located will not change, rather only the form of internal ownership will change.

Discussion ensued regarding the applicant's original intent to build/own an apartment/rental complex on the lands acquired from the Town, and whether the Town could have legally prevented this form of conversion by registering a restrictive covenant on the title. It was stated that some of these units may still be available for rental depending on the Condo's bylaws.

Motion 07:07:03

Moved by Councillor Campbell that the application from Robins Nest Development Inc. to divide the building on Lot 82, Block 7, Plan 0626740 into 26 individual units as shown on the Tentative Condominium Plan has been evaluated in terms of the *Condominium Property Act*, and the Town of Stettler Council approves the application as per the Tentative Condominium Plan for the following reasons:

1. That the application is consistent with the *Condominium Property Act*.
2. The application is consistent with the Town of Stettler Land Use Bylaw.

Further, in accordance with Section 10(1)(b)(ii) of the *Condominium Property Act*, the applicant shall receive a certificate of the municipal authority stating that the proposed division of the building, as illustrated in the Plan, has been approved by the municipal authority.

MOTION CARRIED
Unanimous

(b) Memo re: Beautification Committee Appointment

Mayor Hunter reviewed a letter from Ernestine McClain who has expressed an interest in and willingness to join the Heartland Beautification Committee.

It was noted that Heartland Beautification Chairman and Committee Members would welcome her participation.

Motion 07:07:04

Moved by Councillor Thorogood that the Town of Stettler Council approve the appointment of Ernestine McClain as a representative on the Heartland Beautification Committee.

MOTION CARRIED
Unanimous

(c) Input Request re: Director of Finance & Administration Annual Appraisal

Town Manager, R. Stoutenberg requested Council's input on the annual appraisal of the Director of Finance and Administration, G. Switenky by July 13th, 2007.

(d) Demolition Tax Refund

Director of Finance & Administration G. Switenky circulated a confidential memo informing Council of the property owner's names. This information is considered personal and should not be released under the *Freedom of Information and Protection of Privacy Act (FOIP)*.

Town Manager R. Stoutenberg explained that a shop was removed on March 15, 2007 from the industrial parcel located at 4510 – 44 Avenue and that Administration requests a standard policy refund (prorated).

Motion 07:07:05

Moved by Councillor Peebles that the Town of Stettler Council approve the pro-rated property tax refund for Tax Roll #404137000 in the amount of \$349.92 as per Section 347 of the *Municipal Government Act*.

MOTION CARRIED
Unanimous

(d) July Newsletter Items

- Cancellation of July/August Committee Meetings
- 2007 Current Property Taxes Reminder
- Stettler Ag. Society's Centennial Celebration and Parade – July 21 & 22
- Stettler Side by Side Shoot-Out – July 28
- Highland Games – August 11 (West Stettler Ball Diamonds)
- Triathlon (Swimming Pool Anniversary) – August 11
- Shooting Star Hockey School – August 12-17
- Spray Park Open Daily 10 a.m. – 8 p.m.

(e) Accounts Payable in the amount of \$410,320.49

Motion 07:07:06

Moved by Councillor Campbell that Accounts Payable for the period ending June 28, 2007 in the amount of \$410,320.49 having been paid, be accepted as presented.

MOTION CARRIED
Unanimous

7. **Council:**

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Hunter

- June 21 Meeting with School Board
- June 22 Town Office duties
- June 25 Luncheon with Dr. & Mrs. Maree

- June 27 County Annexation Public Forum
- June 28 Town Office duties
- July 1 Canada Celebrations at West Stettler Park
- July 3 Interview with CH News

(b) Councillor Campbell

- No meetings to report

(c) Councillor Hurley

- No Report – Absent from meeting

(d) Councillor Majeran

- June 27 County Annexation Public Forum

(e) Councillor Peeples

- June 20 Regional Water Meeting
- June 25 Luncheon with Dr. & Mrs. Maree
- June 25 Regional Water Meeting – County Office

(f) Councillor Richards

- June 29 Ponoka Stamped Parade & Luncheon

(g) Councillor Thorogood

- June 25 Luncheon with Dr. & Mrs. Maree
Facility Tour – Rec Centre
Town tour with Allan Willis & Dr. Maree
- June 26 Lunch at Hospital with Dr. Maree as
Foundation Chair representative
- June 26 Meeting at County Office
re: Ambulance Administration issue
- June 27 County Annexation Public Forum

8. **Minutes:**

- (a) Trail of Buffalo Tourism Association - June 20, 2007
- (b) Stettler Affordable Housing Partnership -June 14, 2007
- (c) Heartland Beautification Committee - June 7, 2007
- (d) Stettler Town & Country Museum - June 18, 2007
- (e) Memorial Tree Park Committee - June 18, 2007
- (f) Municipal Planning Commission - June 13, 2007

Motion 07:07:07

Moved by Councillor Peeples that the Minutes, items 8(a) to 8(f) inclusive be accepted for information.

MOTION CARRIED
Unanimous

Mayor Hunter, with the mutual consent of Council, varied the order of the Agenda to consider Item 11 - Correspondence and Item 12 - Items Added given the availability of time prior to the arrival of the scheduled Delegation.

11. **Correspondence:**
- (a) Stettler District Agricultural Society re: Gravel Donation
 - (b) Ambulance Report
 - (c) County of Stettler – Notice of June 27, 2007 Public Information Session
 - (d) RCMP “K” Division – Superintendent Darcey Davidson appointment
 - (e) Child and Family Services Authority Boards Vacancies

Motion 07:07:08

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

MOTION CARRIED
Unanimous

- (f) Request for Decision - County of Stettler Rezoning/Subdivision Application

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

Deputy Mayor Councillor Thorogood assumed the Chair.

Town Manager R. Stoutenberg explained that the County of Stettler has referred, in accordance with *Section 3 Urban Fringe of the Town of Stettler and County of Stettler Intermunicipal Development Plan (IDP)*, an application to rezone and subdivide lands defined within the *IDP* (located within the County).

The proposed application would require an amendment to the *IDP* to allow for approximately 20 acres of land to be rezoned from Agricultural zoning to Country Residential Agricultural zoning, however the said lands are adjacent to Industrial zoned lands within the same quarter section as well as on nearby lands.

Discussion ensued regarding the location of the said lands being outside the Town's current 60 year growth projections, however defined within the *IDP*.

Motion 07:07:09

Moved by Councillor Majeran that the Town of Stettler Council authorize Administration to advise the County of Stettler No. 6 that the Town of Stettler does not support an amendment to the *Town of Stettler and County of Stettler No. 6 Intermunicipal Development Plan* which would allow for a redesignation of approximately 20 acres of land on SW 10 – 39 - 19 W4 from Agricultural zoning to Country Residential Agricultural zoning.

And further, to advise the County of Stettler No. 6 that the Town of Stettler has previously supported the rezoning of an Industrial subdivision on the same quarter section as well as on nearby and adjacent lands and therefore would support further Industrial zoned subdivisions on the referred quarter section.

MOTION CARRIED (3 – 2)
With the abstention of Mayor
Hunter
Opposed Councillors Richards
and Campbell

Mayor Hunter returned and resumed the Chair.

12. **Items Added:** (a) Tagish Engineering re: Red Willow Creek Drainage Improvements.

Tagish Engineering has informed the Town of Stettler that two tenders were received for the Red Willow Creek Drainage Improvement Project as follows:

1. Wooden Construction \$402,610.79 (tax in)
2. Kidd Oilfield Construction Ltd. \$224,962.74 (tax in)

Tagish Engineering recommends that the Town of Stettler award the Red Willow Creek Drainage Improvement tender to Kidd Oilfield Construction Ltd. based on their low bid.

The project consists of lowering the creek bed from the weir gate at the Stettler Leisure Centre to an existing road culvert north of the sewage lagoons. This will prevent cattail growth which will increase flow velocities.

The project cost was previously estimated (April 3rd, and June 5th, 2007) at \$371,820, of which 75% or approximately \$275,000 is eventually expected to be eligible for grant funding through the Alberta Environmental Protection Water Management & Erosion Control Program.

Town Manager, R. Stoutenberg advised that 2007 provincial funding program for projects like Red Willow Creek dredging is fully subscribed and new funding will not be assessed until late 2007 for the 2008 funding year. The Town will not know until early 2008 if the project has been accepted. However, given the emergent nature of this type of project the Province will allow preventative projects to be undertaken and completed for up to three years while still being considered for funding.

Discussion ensued regarding the high importance of this project to mitigate the flooding potential in Stettler. It was noted that according to the Water Management Branch of the Provincial Government the Town's commitment to this project would be an asset towards funding approval in the future.

\$125,000 is currently allocated in the 2007 Capital Budget for this project with \$50,000 being funded from reserves and \$75,000 anticipated from grants.

Motion 07:07:10

Moved by Councillor Thorogood that the Town of Stettler Council award the Red Willow Creek Drainage Improvement Project to Kidd Oilfield Construction Ltd. in the amount of \$224,962.74 tax in.

And further, that the associated costs of the entire project, including contract management and geotechnical are to be funded from the General Reserve.

MOTION CARRIED
Unanimous

Mayor Hunter temporarily recessed the meeting at 7:38 p.m.

Mayor Hunter reconvened the meeting at 7:42 p.m.

5. **Delegations:**

(a) 7:42 p.m. D. Denholm & G. Peterson, – Recycling Committee

Heartland Beautification Committee - Stettler Recycling Committee Members Dave Denholm and Gail Peterson entered the meeting.

Mayor Hunter welcomed the Recycling Committee Members to the Council meeting.

D. Denholm presented the Stettler Recycling Committee's Report and Recommendations – June 2007.

The Report recommends that the Town hire a consultant to help set up a more user friendly recycling program. The preferred recycling method would be to initiate a Blue Box Program (home collection). It is estimated that such a program would cost households between \$5 and \$10 per month to be financially viable. Also, the Committee recommends that there should be a limit placed on the amount of domestic garbage that is collected from individual households in Stettler.

The report states that as an alternative to a Blue Box Program, the Town could set up a Recycling Depot.

Discussion ensued regarding the variations in programs/methods being used in other jurisdictions. It was stated that the operation of a successful program is more complicated than originally anticipated and that a qualified and knowledgeable consultant would ensure that an informed decision could be made by Council.

There is a meeting with a qualified consultant in the near future to learn more about whether a consultant would add value respecting the preparation of relevant information that Council will need to make an effective decision regarding the implementation of a new recycling service/program.

Town Manager R. Stoutenberg advised that the current residential garbage collection contract (with Waste Management) expires in December 2008. A combined residential garbage collection and blue box program could be tendered in the early fall of 2008.

Discussion continued regarding the ongoing efforts of the Stettler Recycling Committee and the authority to expend funds allocated in the Town's Operating Budget. No decision was made regarding the engagement of a consultant at this time as more information regarding cost/benefit will be researched by the Committee.

Mayor Hunter thanked D. Denholm and G. Peterson for their presentation and expressed Council's sincere appreciation for the Committee's volunteer efforts.

D. Denholm and G. Peterson departed the meeting at 7:58 p.m.

9. **Public Hearing:**

- (a) 8:00 P.M. – Bylaw 1954-07 re: Meadowlands By the Park Area Structure Plan

Mayor Hunter declared the Public Hearing for Bylaw 1954-07 open at 8:00 p.m.

Present:

Mayor J. Hunter
Councillors A. Campbell, G. Majeran, R. Peeples
D. Richards & L. Thorogood
Town Manager R. Stoutenberg
Director of Finance & Administration G. Switenky
Development Officer W. Holowachuk
Development Consultant D. Dittrick
Applicant Representatives (2)
Press (2)
Public (3)

Mayor Hunter welcomed members of the public present and briefly outlined the process for the Public Hearing.

Mayor Hunter explained that Bylaw 1954-07 is for the purpose of adopting the Meadowlands by the Park Area Structure Plan for Block 3, Plan 012 2779 and Part of the NW ¼ 36-38-20-W4. Bylaw 1954-07 was given first reading by Council on June 5th, 2007 and this Public Hearing was duly advertised in accordance with the provisions of the Municipal Government Act.

Town Manager R. Stoutenberg informed Council that although there were a couple of clarification inquiries there were no verbal submissions received for or against Bylaw 1954-07 and there was one written submission received as follows: Correspondence from the County of Stettler's Municipal Planning Commission was presented as an addition to the agenda package.

Mayor Hunter summarized the correspondence from the County's MPC which supported the overall design however expressed concern that the overall density of the proposed plan appears to be relatively low in comparison to densities achieved in other urban municipalities.

Mayor Hunter welcomed and introduced Mike Dandurand and Michael von Hausen representatives of the applicant Middlelands Development Ltd. and invited them to make a presentation.

M. Dandurand and M. von Hausen outlined the diversity of land use types and concepts included in the proposed Area Structure Plan for Meadowlands by the Park. They highlighted the various neighborhood amenities and community features incorporated into their design.

Mayor Hunter invited members of the public to make representation. Norma and Jim Leslie expressed that they did not have any concerns based upon the presentation they heard.

Greg Laewetz expressed concerns that the duplexes and fourplexes proposed along 68th Street will create increased localized traffic given the higher density.

Discussion ensued regarding the proposed land use concepts throughout the area, potential impacts on roadways, as well as alternative locations for various housing types.

M. Dandurand stated that they are initially planning for the development to be created in 3 phases. He also stated that conditions on every lot will require primary structures/homes to comply with minimum architectural design standards and controls. M. von Hausen commented that this will greatly assist in creating the character they envision for the entire neighborhood.

M. Dandurand noted that this Area Structure Plan proposes the gross residential density to be in the 3 to 4 units per acre range.

It was generally agreed that the County of Stettler's comments encouraging the Town to strive for densities of 6 to 8 units per acre would be out of character for Stettler.

There were no other representations heard or made.

Mayor Hunter thanked members of the public and representatives of the developer for attending and expressing their thoughts and/or concerns.

Mayor Hunter declared the Public Hearing for Bylaw 1954-07 closed at 8:53 p.m.

Members of the public and representatives of the developer departed the meeting.

Mayor Hunter reconvened the regular Council Meeting at 8:57 p.m.

Mayor Hunter with the mutual consent of Council varied the order of the Agenda to consider Item 10 – Bylaws with respect to Bylaw 1954-07.

10. **Bylaws:** (a) Bylaw 1954-07 – Meadowlands By the Park Area Structure Plan

Motion 07:07:11

Moved by Councillor Thorogood that the Town of Stettler Council give second reading to Bylaw 1954-07.

MOTION CARRIED

Unanimous

Motion 07:07:12

Moved by Councillor Peeples that the Town of Stettler Council give third and final reading to Bylaw 1954-07.

MOTION CARRIED

Unanimous

Town Manager R. Stoutenberg, Development Officer W. Holowachuk temporarily departed the meeting.

- (b) 8:15 P.M. – Bylaw 1955-07 re: Amend Land Use Bylaw 1797-98

Mayor Hunter declared the Public Hearing for Bylaw 1955-07 open at 8:57 p.m.

Present:

Mayor J. Hunter

Councillors A. Campbell, G. Majeran, R. Peeples

D. Richards & L. Thorogood

Director of Finance & Administration G. Switenky

Development Consultant D. Dittrick

Press (2)

Public (0)

Mayor Hunter briefly outlined the process of the Public Hearing and noted that there were no members of the public present.

Mayor Hunter explained that Bylaw 1955-07 is for the purpose of amending Land Use Bylaw 1797-98 of the Town of Stettler to incorporate the zoning designations identified in Phase 1 of the Meadowlands by the Park Area Structure Plan. Bylaw 1955-07 was given first reading by Council on June 5th, 2007 and this Public Hearing was duly advertised in accordance with the provisions of the Municipal Government Act.

Development Consultant D. Dittrick outlined the various land use designations included in Phase 1 of the Meadowlands by the Park Area Structure Plan that has just been approved for Mittlelands Development Ltd.

Director of Finance and Administration G. Switenky informed Council that although there were a few clarification inquiries there were no verbal submissions received for or against Bylaw 1955-07 and there was one written submission received as follows:

Correspondence from the County of Stettler's Municipal Planning Commission was presented as an addition to the agenda package. The County's MPC expressed concern that the overall density of the plan appears to be relatively low in comparison to densities achieved in other urban municipalities.

There were no other representations heard or made.

Mayor Hunter declared the Public Hearing for Bylaw 1955-07 closed at 9:03 p.m.

Mayor Hunter reconvened the regular Council Meeting at 9:03 p.m.

10. **Bylaws:** (b) Bylaw 1955-07 – Amend Land Use Bylaw
- Motion 07:07:13** Moved by Councillor Majeran that the Town of Stettler Council give second reading to Bylaw 1955-07.
- MOTION CARRIED
Unanimous
- Motion 07:07:14** Moved by Councillor Campbell that the Town of Stettler Council give third and final reading to Bylaw 1955-07.
- MOTION CARRIED
Unanimous
- Town Manager R. Stoutenberg returned to the meeting.
13. **In-Camera Session:** (a) Strategic Goal #4 Employee Compensation/ Contract/Retention
- (b) Annexation Update
- Motion 07:07:15** Moved by Councillor Richards 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 9:06 p.m.
- Motion 07:07:16** Moved by Councillor Richards that the Town of Stettler Council return to the regular meeting.
- MOTION CARRIED
Unanimous at 10:29 p.m.

14. **Adjournment:**

Motion 07:07:17

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

MOTION CARRIED
Unanimous at 10:30 p.m.

Mayor

Director of Finance & Administration