

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

Present:

Mayor J. Hunter

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

Town Manager R. Stoutenberg
Director of Finance & Administration G. Switenky
Development Officer W. Holowachuk
Contract Development Officer. D. Dittrick (In-Camera only)
Board of Trade Manager A. Willis (In-Camera only)

Press (2)
Public (10)

Absent:

Councillor D. Richards

Call to Order:

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

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

Mayor Hunter informed Council that Delegation item 5(a) – Sgt. K. Picard, RCMP has been postponed and will be rescheduled for a subsequent meeting.

Motion 07:03:16

Moved by Councillor Thorogood to approve the agenda as presented with the following additions/deletions:

- 5(a) Delegation – Delete from Agenda
- 6 (e) Additional Letter re: Request for Subdivision 2007-04
- 12(a) Memo re: County Bylaw 1345-07

MOTION CARRIED
Unanimous

3. **Confirmation of Minutes:**

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

Motion 07:03:17

Moved by Councillor Peeples that the Minutes of the Regular Meeting of Council held on March 6, 2007 be approved as presented.

MOTION CARRIED
Unanimous

- (b) Business Arising from the March 6, 2007 Minutes

None

- (c) Minutes of the Committee of the Whole Meeting held March 13, 2007

Motion 07:03:18

Moved by Councillor Campbell that the Minutes of the Committee of the Whole Meeting held on March 13, 2007 be approved as corrected on page 1 to remove Councillor L. Thorogood from the listing of Councillors present.

MOTION CARRIED
Unanimous

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

None

Mayor Hunter with the mutual consent of Council varied the order of the Agenda to consider Item 6(e) at this time given the number of public in attendance regarding this matter.

6. Administration:

(e) Request for Subdivision 2007-04

Councillor G. Majeran declared a possible conflict of interest given his employment with the Clearview School Division No. 71 and by departing the meeting excused himself from discussion and voting on this matter.

Mayor Hunter welcomed members of the public to the meeting and explained that Council as the Subdivision Approving Authority must consider all subdivisions of land following prescribed planning provisions in relevant provincial legislation and in conjunction with the requirements of the local Land Use Bylaw to ensure that fairness and consistency is maintained.

Development Officer W. Holowachuk outlined that the applicant (Clearview School Division No. 71) is proposing to create two (2) lots for public uses on Lot 65, Plan 3049AT. The proposed subdivision is located at 4704 – 55 Street.

The north lot to be created will be 6032 square meters, and the south lot to be created will be 6037 square meters. This subdivision is located in Land Use District P: Public Use Area. There is no new development proposed for each newly created parcel, the subdivision is intended to provide accurate parcel descriptions and two separate titles for a proposed lot sale/transfer.

The Land Titles current legal description for Block 65, Plan 3049AT includes 40 residential lots which are actually Public Use space and the Catholic School site. The plan of subdivision will require the consolidation of these lots as one block (Block 65) to allow the two parcel subdivision. This consolidation can occur as a "descriptive plan" in conjunction with the plan of subdivision.

The proposed minimum side yard does not meet the Land Use Bylaw requirements (equal or greater to the building height) for Public Use Zoning.

It was noted that five letters expressing various concerns regarding the proposed subdivision were received and included in the Agenda package(s) for Council's consideration.

Administration is recommending approval with conditions.

Mayor Hunter invited Chris Nichols, citizen and local Catholic School Board Trustee to address Council and make representation.

C. Nichols explained that he is requesting that Council table consideration of the subdivision application from the Clearview (Public) School Division given that the East Central Alberta Catholic Separate School Division is currently in negotiations with the Clearview School Division for the transfer of the Christ King School (formerly Waverly School) as directed by Alberta Education.

Discussion ensued regarding the intent of Alberta Education regarding the land transfer between the School Boards and that Town Council is not a party to this matter.

Mayor Hunter explained further that Council understands the concerns presented, however does not believe that the issues currently being negotiated between the School Boards are within the scope that Council must review/weigh when considering an application for subdivision by an owner of land. Council has no jurisdiction in the eventual transfer of ownership of any part of lands involved in this subdivision application.

Mayor Hunter invited any other members of the public to address Council. Various members in attendance verbally supported that Council should table the subdivision application to allow citizens and the Catholic School Division additional time to address further with Alberta Education the complications respecting the amount of land to be transferred before any subdivision is approved.

Mayor Hunter requested Administration to review the provisions of relevant legislation to determine whether a Subdivision Approving Authority (Council) has valid grounds and the ability to delay a decision on a subdivision application.

Members of the public question further the Public School Board's reasoning for subdividing the property in this manner and at this time. Mayor Hunter replied that Council does not justify a landowner's reason for subdividing rather Council must only ensure that the rules respecting subdivisions are followed.

Mayor Hunter referred to the provisions of the Subdivision and Development Regulations respecting Council's 60 day time limit to make a decision on a subdivision application. Given that requirement, it was determined that the last possible day for Council to make a decision respecting this subdivision application would be April 10th, 2007.

Some members of Council expressed concerns that the site drawings submitted by the applicant did not appear to be accurate enough to allow them due consideration of the subdivision application.

Mayor Hunter concluded that Council has three possible options; Approve, Refuse (citing reasons), or Table (substantiated by a valid planning reason) to a definite date within the required 60 day decision time limits.

Motion 07:03:19

Moved by Councillor Peeples that the Town of Stettler Council Table the Request for Subdivision 2007-04 from the Clearview School Division No. 71 to a Special Meeting of Council to be held on April 10th, 2007 (unless the application is withdrawn) citing the need for more accurate and informative site drawings from the applicant.

MOTION CARRIED
Unanimous

All members of the Public departed the Council Meeting.

4. **Citizen's Forum:** (a) No one was present at the Citizen's Forum
5. **Delegations:** (a) 7:30 P.M. – Sgt. Kevin Picard

This item has been postponed and will be re-scheduled to a subsequent Council meeting.

6. **Administration:** (a) Committee Recommendation

Motion 07:03:20

Moved by Councillor Campbell that the Town of Stettler Council approve that the existing, constantly flashing pedestrian light set across 44th Avenue at 62nd Street (near the Recreation Centre) be converted to a pedestrian activated wired system with an estimated cost of \$3,000.

MOTION CARRIED
Unanimous

- (b) Memo re: 2007 Paving & Roads Tender

Town Manager R. Stoutenberg informed Council that three bids were received for the 2007 Paving & Roads Tender as follows:

Central City Asphalt Ltd.	\$1,339,289.80
Border Paving Ltd.	\$1,300,214.00
Brooks Asphalt & Aggregate Ltd.	\$1,278,887.00

Administration is recommending awarding the tender to Brooks Asphalt & Aggregate Ltd. at a cost of \$1,278,887.00 (tax out).

Discussion ensued regarding the breakdown of the work to be performed, comparisons to the 2007 Capital Budget allocations and that included is \$251,530 of work that will be fully reimbursed by Alberta Transportation.

Town Manager R. Stoutenberg explained the changes in the scope for the work to be performed on 62nd Street.

Discussions continued regarding the option of scaling back some of the planned work to meet the original 2007 Capital Budget allocation. Also discussed was whether the Lions Campground should be paved at this time given the lack of full services to all sites?

Motion 07:03:21

Moved by Councillor Thorogood that the Town of Stettler Council accept the low bid from Brooks Asphalt & Aggregate Ltd. for the 2007 Paving & Roads Tender at a cost of \$1,278,887.00 (tax out). And that an additional \$130,000 will be allocated under the Alberta Municipal Infrastructure Program to fund the 62nd Street Improvements.

MOTION CARRIED (4-2)
Opposed Councillors Campbell & Hurley

(c) 2007 Gravel Tender Results

Town Manager R. Stoutenberg informed Council that two bids were received for the 2007 Gravel Tender from James Marshall Trucking & Gord's Trucking Ltd.

Motion 07:03:22

Moved by Councillor Peebles that the Town of Stettler Council accept the low bid from James Marshall Trucking Ltd. for the supply of gravel in 2007 based on per m³ pricing for estimated quantities of various products.

MOTION CARRIED
Unanimous

(d) Memo re: Banking Services Proposals

Director of Finance and Administration G. Switenky advised that the Town of Stettler has been utilizing the banking services of TD Canada Trust since 1996. It was noted that the most recent 5 year agreement has expired. Proposals for banking services were received from the Royal Bank, TD Canada Trust, CIBC and ATB Financial.

TD Canada Trust's rates result in the highest net return based on an average balance on hand (\$525,000) offering the best deposit interest rate combined with reasonable annual banking/service fees. Administration is satisfied with the overall service(s) TD Canada Trust provided in the past.

Administration is recommending acceptance of the TD Canada Trust banking proposal for the period April 1, 2007 to March 31, 2010 with the option of a 2-year extension.

Motion 07:03:23

Moved by Councillor Hurley that the Town of Stettler Council accept the TD Canada Trust banking proposal for the period April 1, 2007 to March 31, 2010 with the option of a 2-year extension.

MOTION CARRIED
Unanimous

(f) April Newsletter Items

- 2007 Spring Clean-up
- 2006 Census Update
- Proposed Annexation
- Trade Show
- Ag. Society
- Anglican Church 100 Year Celebration

(g) Bank Reconciliation as of February 28, 2007

Motion 07:03:24

Moved by Councillor Hurley that the Bank Reconciliation as of February 28, 2007 be accepted as presented.

MOTION CARRIED
Unanimous

(h) Accounts Payable in the amount of \$346,910.98

Motion 07:03:25

Moved by Councillor Hurley that Accounts Payable for the period ending March 15, 2007 in the amount of \$346,910.98 having been paid, be accepted as presented.

MOTION CARRIED
Unanimous

7. Council:

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Hunter

- Mar 14 - Proposed Annexation Meeting with landowners.
- Mar 16 - Town Office duties.
- Mar 19 - Library Board Meeting.

(b) Councillor Campbell

- No meetings to report.

(c) Councillor Hurley

- Mar 13 - Committee of the Whole Meeting.
- Mar 14 - Proposed Annexation Meeting with landowners.
- Mar 19 - Physician Recruitment.

(d) Councillor Majeran

- Feb 23 - Meeting with County re: Annexation Proposal.
- Mar 8 - Municipal Planning Commission Meeting.
- Mar 12 - FCSS Meeting.
- Mar 14 - Proposed Annexation Meeting with landowners.

(e) Councillor Peeples

- Presented and read out loud a letter from a community member T.C. Holt respecting recycling and garbage.
- Mar 8 - Municipal Planning Commission Meeting.
- Mar 9 - Town & County Airport Board Meeting (alternate for Councillor Campbell).

- Mar 13 - Committee of the Whole Meeting.
- Mar 15 - Red Deer River Municipal User Group Executive & General Meeting.

(f) Councillor Richards

-No report – absent from meeting.

(g) Councillor Thorogood

-Mar 8 - Municipal Planning Commission Meeting.

8. **Minutes:**

(a) Stettler Town & County Airport Board Meeting of March 9, 2007

(b) Parkland Regional Library Board Meeting of February 1, 2007

(c) Stettler Recycling Committee Meeting of February 21, 2007

(d) Heartland Beautification Committee Meeting of March 1, 2007

(e) Municipal Planning Commission Meeting of March 8, 2007

It was clarified that the Motion in Item 3 should read "1 stall per 3 units".

Motion 07:03:26

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

MOTION CARRIED
Unanimous

9. **Public Hearing:**

(a) None

10. **Bylaws:**

(a) None

11. **Correspondence:**

(a) Rural Alberta's Development Fund

It was stated that this grant information be forwarded to the Handi-Bus Society (Owen Blake) for their consideration.

(b) Trail of the Buffalo Tourism Association

Motion 07:03:27

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

MOTION CARRIED
Unanimous

12. **Items Added:**

(a) Memo re: County Bylaw 1345-07

Town Manager, R. Stoutenberg explained the County's proposed bylaw to change the land use designation on a 5 acre parcel of land located within the Urban Fringe area identified in the Intermunicipal Development Plan (IDP). The land is outside the Town's current 60 year Growth Study boundaries and is consistent with the IDP.

Motion 07:03:28

Moved by Councillor Thorogood that the Town of Stettler Council inform the County of Stettler that it has no objection to the County's proposed Bylaw 1345-07 changing the Land Use Designation of part of NE 30-38-19-W4, containing 5 acres more or less from Agriculture to Country Residence Agricultural District.

MOTION CARRIED
Unanimous

Mayor Hunter recessed the meeting at 8:02 p.m.

Mayor Hunter reconvened the meeting at 8:07 p.m.

13. **In-Camera Session:** (a) Land Sale Agreement

Motion 07:03:29

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, Development Officers (2) and Board of Trade Manager present to discuss the items as presented on the In-Camera Agenda.

MOTION CARRIED
Unanimous at 8:07 p.m.

Motion 07:03:30

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

MOTION CARRIED
Unanimous at 10:21 p.m.

14. **Adjournment:**

Motion 07:03:31

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

MOTION CARRIED
Unanimous at 10:21 p.m.

Mayor

Director of Finance & Administration