

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL
HELD ON TUESDAY, NOVEMBER 7, 2006 IN THE MUNICIPAL OFFICE,
COUNCIL CHAMBERS**

Present:

Mayor J. Hunter

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

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

Press (1)

Absent:

None

Call to Order:

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

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

Motion 06:11:01

Moved by Councillor Richards to approve the agenda as presented with the following addition:

- 13(b) The Health Sciences Association of Alberta – Provincial Ambulance Contractual Funding and Ambulance Association Negotiations update

MOTION CARRIED
Unanimous

3. **Confirmation of Minutes:**

- (a) Minutes of the Regular Meeting of Council held on October 17, 2006

Motion 06:11:02

Moved by Councillor Campbell that the Minutes of the Regular Meeting of Council held on October 17, 2006 be approved as presented.

MOTION CARRIED
Unanimous

- (b) Business Arising from the October 17, 2006 Minutes

(i) None

- (c) Minutes of the Organizational Meeting held on October 17, 2006

Motion 06:11:03

Moved by Councillor Peeples that the Minutes of the Organizational Meeting held on October 17, 2006 be approved as presented.

MOTION CARRIED
Unanimous

- (d) Minutes of the Special Council Meeting held on November 1, 2006

Motion 06:11:04

Moved by Councillor Hurley that the Minutes of the Special Council Meeting held on November 1, 2006 be approved as presented.

MOTION CARRIED
Unanimous

It was identified and mutually agreed upon that the Town of Stettler will give notice to the East Central Alberta Regional Water Commission (pending) that it is withdrawing from being a member of the Commission on the basis that the Town will be selling water to the Commission.

Therefore, Councillor Peebles will need to be replaced on the Interim Working Board with a representative from another participating municipality.

4. **Citizen's Forum:** (a) None
5. **Delegations:** (a) None
6. **Administration:** (a) Memo re: Stettler Flying Club Agreement Renewal

Town Manager, R. Stoutenberg advised that the Airport (Operating) Agreement with the Stettler Flying Club has expired and is up for renewal/extension. The renewal agreement is substantially the same as the expired agreement and is for the five (5) year term from November 1, 2006 to October 31, 2011.

The Agreement was discussed at the Airport Board Meeting on September 29, 2006 and forwarded to the Flying Club for their review.

The Flying Club has informed the Town that they have approved the agreement as presented.

The Flying Club is the primary user/benefactor of the Airport therefore they have requested that no payment or remuneration be paid to the Club for their services.

Motion 06:11:05

Moved by Councillor Campbell that the Town of Stettler Council approve the execution of the Airport Agreement with the Stettler Flying Club for the 5 year term from November 1, 2006 to October 31, 2011 and further authorize the Mayor and Director of Finance and Administration to sign the Agreement.

MOTION CARRIED

Unanimous

- (b) Memo re: A Lift Sewer Line Replacement

Town Manager, R. Stoutenberg reviewed the memorandum from the Director of Operational Services, J. Keith regarding the 57 Street sanitary & storm main (A Lift) replacement. He noted that an unexpected discovery of a Telus fibre optics conduit has created a conflict with the Town's proposed sanitary alignment. It was noted that neither Town records nor Telus locates identified or documented the location of this conduit.

The project has been shut down until 2007 to allow Associated Engineering to design a new construction approach.

Approximately 40% of the original contract has been completed, this mainly being the installation of the new storm sewer.

Discussion ensued regarding responsibility for the location of this Telus conduit and repairs thereto; why it had not been identified by Telus locates; and who is responsible for the extra costs associated with redesigning and relocating the Town's sanitary main.

Town Manager R. Stoutenberg informed Council that the Town, the Town's Contractor and Telus are in the process of reviewing historical documentation in an effort to assist in the determination (and acceptance) of any responsibility.

(c) Memo re: Jumping Jack Tamper Purchase

Town Manager, R. Stoutenberg reviewed the memorandum from the Director of Operational Services, J. Keith regarding the purchase of a jumping jack tamper. He noted that the Town has \$4,000 in reserve for the purchase of a jumping jack which remained subject to Council's approval based on rental availability (per 2005 Capital Budget).

Due to logistical problems incurred when renting this piece of equipment, Administration would like to purchase a new unit locally at a cost of \$3,600. The Town is spending approximately \$600 per year on rentals.

Motion 06:11:06

Moved by Councillor Thorogood that the Town of Stettler Council approve the purchase of a jumping jack tamper in the amount of \$3,600 as quoted from a local supplier.

MOTION CARRIED
Unanimous

(d) Red Deer River Watershed Alliance 2007/08 Financial Support

Town Manager, R. Stoutenberg advised that the Red Deer River Watershed Alliance is requesting annual financial support from the Town for the 2007/08 year, such support being based on 50 cents per capita. This financial contribution is the same as the previous year.

It was noted that the Town appoints a Council representative (Councillor Peeples) to this organization.

A list of the Alliance's 2005/06 Significant Steps and Successes to Date was reviewed.

It was further noted that water source and quality issues are very important to the Town of Stettler and participation in the Alliance provides valuable liaison with other municipal users, land owners, governmental agencies and industry.

Discussion ensued related to the Town's membership on the Red Deer River Watershed Alliance as well as the Red Deer River Municipal Users Group. The Municipal Users Group's (comprised of municipalities only) focus is on policy, particularly long-term sustainability, while the Alliance's focus is more on immediate operational management matters affecting water quality and environmental impacts.

It was also noted that both organizations have cooperated/partnered well with each other on various initiatives over the past year.

Motion 06:11:07

Moved by Councillor Peeples that the Town of Stettler Council approve a municipal contribution of \$0.50 per capita to the Red Deer River Watershed Alliance for the purpose of funding general operations and special projects identified in their draft work program for the 2007/08 operating year.

MOTION CARRIED
Unanimous

(e) Memo re: Lease Agreement – David Thompson Health Region (Health Unit)

Town Manager, R. Stoutenberg advised that the AE Kennedy Building is being rented by the David Thompson Health Region (Health Unit) however the final five years of the existing eleven year lease agreement require rates to be negotiated on or before January 2, 2007.

The agreement stipulates that the Health Unit will lease the building in 2007/08 for \$6.99 per square foot; based on 14,731.40 sq. ft. the annual rental amount to be paid to the Town is \$103,119.78. The remaining lease term of April 1, 2008 to March 31, 2013 is subject to a rate negotiation requirement per Section 1(b) of the lease agreement.

Administration has spoken with a number of business/property owners and realtors to determine an appropriate/acceptable lease rate for this scale of property and location. Based on these comparables the typical range is from \$8.00 to \$14.00 per square foot.

Administration recommends that the square footage rates in the lease agreement be substantially increased to accurately reflect today's market conditions:

Roundtable discussion ensued regarding the determination of an appropriate rental rate for the size and location of the AE Kennedy building.

Motion 06:11:08

Moved by Councillor Thorogood that the Town of Stettler Council approve increasing the inherent rate per square foot in the David Thompson Health Region Lease Agreement for the AE Kennedy Building (Health Unit Property) to the following:

2008/2009 - \$9.00 per square foot
2009/2010 - \$9.50 per square foot
2010/2011 - \$10.00 per square foot
2011/2012 - \$10.50 per square foot
2012/2013 - \$11.00 per square foot

MOTION CARRIED (4 – 3)
Opposed: Councillors Richards,
Campbell & Hurley

(f) Request for Decision re: Amend Policy IV-1

Town Manager, R. Stoutenberg advised that staff has reviewed building and development permit fees from relative neighboring municipalities in an effort to determine whether the rates/fees charged in Stettler are comparable and fair.

Council reviewed various fee recommendations from staff.

It was noted that the Town receives 20% of all building permit fees to help offset planning and development departmental costs. Alberta Permit Pro receives the other 80% to provide safety code inspections.

Discussion ensued regarding minimum construction values used in determining building permit values. Also some differentials between Permit Pro rates and the rates proposed for the Town were questioned.

Town Manager R. Stoutenberg responded that there appears to be some minor inconsistencies and that this item should be referred back to staff for additional review and/or interpretation.

(g) Memo re: Bio Gas Project

Town Manager, R. Stoutenberg advised that a meeting was held at the County of Stettler office on October 20, 2006 with representation from most of the surrounding municipalities.

Mr. James Ireland of Prairie BioGas made a presentation about BioGas and the opportunity available to Stettler and District for this technology. Mr. Ireland is looking for a Letter of Intent (LOI) from each municipality interested in participating in this project.

It was noted that the landfill is nearing its annual operating license capacity limit being 10,000/tonnes per year. Upon this level being achieved there will be a considerable increase in the cost of waste disposal operations at the landfill.

This technology would provide needed annual capacity relief at the landfill by utilizing local waste to produce energy; Heat (which must be used within a two mile radius) and Electricity (which can be sold into the grid). The level of output depends on the quality of feed stock/garbage.

It was stated that there is some provincial funding available for this type of technology development.

The capital cost to build is estimated to be approximately \$7.2 million and associated annual operating costs are expected to be approximately \$500,000.

Discussion ensued regarding whether Regional Partnership funding could be utilized to prepare a feasibility/economic study. It was stated that the Stettler Waste Management Authority should be the lead agency given the existing regional participation.

The level of municipal commitment requested from Prairie BioGas Ltd., the overall economics of the project, the timing and location (Stettler) was questioned.

Motion 06:11:09

Moved by Councillor Campbell that the Town of Stettler Council direct Administration to explore possible funding options and Government support for BioGas/BioEnergy technology development.

MOTION CARRIED (5 – 2)
Opposed: Councillors Majeran & Peeples

(h) Town Manager's Report

Motion 06:11:10

Moved by Councillor Peeples that the Town of Stettler Council approve the Town Manager's Report for the month of October as presented.

MOTION CARRIED
Unanimous

(i) Accounts Payable in the amount of \$459,149.89

Motion 06:11:11

Moved by Councillor Thorogood that Accounts Payable for the period ending November 1, 2006 in the amount of \$459,149.89 having been paid, be accepted as presented.

MOTION CARRIED
Unanimous

7. **Council:**

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Hunter

- Oct 18 - Meeting with Ty Lund and Water Group.
- Citizen of the Year dinner.
- Oct 20 - County of Stettler re: Bio Gas.
- Town Office duties.
- Oct 23 - Leadership Forum.
- Oct 24 - Meeting with Jim Dinning.
- Oct 25 - Joint Council Meeting.
- Oct 27 - Town Office duties.
- Nov 1 - Special Council Meeting re: Water Ratification.
- Nov 2 - Beautification Meeting.
- Nov 3 - Town Office duties.
- Rotary Friendship dinner.

(b) Councillor Campbell

- Oct 18 - Introduced Male Citizen of the Year at the annual awards banquet.
- Oct 24 - Meeting with Jim Dinning.
- Oct 25 - Joint Council Meeting.
- Nov 1 - Stettler Health Services Foundation.
- Special Council Meeting.
- Nov 2 - Parkland Regional Library Meeting.
- Nov 4 - Represented the Town of Stettler at the Donalda supper.

(c) Councillor Hurley

- Oct 23 - Water Negotiation Meeting.
- Nov 1 - Special Council Meeting.
- Meeting with Peggy Hearonemus re: Physician Recruitment Committee.

(d) Councillor Majeran

- Oct 23 - Water Negotiation Meeting.
- Nov 1 - Special Council Meeting.

(e) Councillor Peeples

- Oct 18 - Meeting with East Central Water Commission with MLA's and Government Ministers Ty Lund, Ray Prins, Doug Griffiths and Shirley McClellan.
- Oct 23 - Negotiating Committee Meeting with East Central Water Commission.
- Oct 24 - Meeting with Jim Dinning.
- Oct 25 - Joint Council Meeting.
- Nov 1 - Special Council Meeting re: Water Agreement.

(f) Councillor Richards

- Oct 20 - Meeting at County re: Bio Gas.
- Oct 25 - Joint Council Meeting.
- Nov 1 - Special Council Meeting re: Water Agreement.

(g) Councillor Thorogood

- Oct 18 - Citizen of the Year banquet.
- Oct 23 - PC Forum sponsored by the Board of Trade.
- Oct 24 - Meeting with Jim Dinning.
- Oct 25 - Joint Council Meeting.
- Oct 30 - Ambulance Executive Meeting.
- Nov 2 - Beautification Meeting.
- Nov 6 - Union Negotiation Meeting.

8. **Minutes:**

- (a) East Central Alberta Regional Water Commission Meeting of October 11, 2006
- (b) Municipal Planning Commission Meeting of October 4, 2006
- (c) Regional Fire Commission Meeting of September 29, 2006
- (d) Trail of the Buffalo Association Meeting of October 12, 2006
- (e) Joint Town, Villages & County Councils Meeting of October 25, 2006

Motion: 06:11:12

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

MOTION CARRIED
Unanimous

9. **Public Hearings:**

- (a) None

10. **Bylaws:**

- (a) None

11. **Correspondence:**

- (a) Hinton Parklander
- (b) Don's Car Sales Ltd.

Correspondence relating to concerns expressed by a legal non-conforming business within the C1A zone was reviewed.

Mayor Hunter concluded that a response will be prepared outlining the requirements/restrictions in the *Municipal Government Act* (Section 643) related to business discontinuance for non-conforming businesses. It was also stated that there are private insurance options for the protection of legal non-conforming businesses.

- (c) AAMDC Contact
- (d) The Cost of Democracy
- (e) HR Group Management Consultants

(f) Clearview School Division #71

Town Manager, R. Stoutenberg explained the background related to the correspondence from the School Division.

A school bus driver was recently issued a ticket for continually parking a school bus at her residence. The Town's Bylaw Enforcement Officer had spoken to the bus driver and issued multiple warnings, however all warnings were ignored which prompted the issuance of a ticket for a violation of the Land Use Bylaw per Section 2(2)(d).

It was noted that the Town's bylaws are generally enforced on a complaint driven basis.

Round table discussion ensued regarding the appropriateness of parking large vehicles/including buses in residential districts.

Mayor Hunter concluded, based on majority consensus that buses should not be allowed to be parked in a residential district. Council understands the School Board's concern for their bus driver's "Serious inconvenience" however safety/sightline issues along with diesel smell/motor noise materially interfere with and affect the use and enjoyment of neighboring parcels of land in residential districts.

Town Manager, R. Stoutenberg explained that Land Use Bylaw amendments are currently being drafted to strengthen the enforceability of many common violations. Proposed amendments are expected to be presented to Council in mid December. Restrictions/prohibitions in residential zones will be further discussed at that time.

Motion: 06:11:13

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

MOTION CARRIED
Unanimous

12. **Additions:**

(a) None

13. **In-Camera Session:**

(a) Meadowlands Subdivision

(b) The Health Sciences Association of Alberta – Provincial Ambulance Contractual Funding

Motion 06:11:14

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 items as presented on the In-Camera Agenda.

MOTION CARRIED
Unanimous at 8:16 p.m.

Motion 06:11:15

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

MOTION CARRIED
Unanimous at 9:05 p.m.

14. **Adjournment:**

Motion 06:11:16

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