

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL  
HELD ON TUESDAY, JULY 19, 2011 IN THE MUNICIPAL OFFICE,  
COUNCIL CHAMBERS**

**Present:** Mayor Dick Richards

Councillors A. Campbell, D. Bachman, L. Thorogood, P. Simons & S. Wildeboer

Assistant CAO G. Switenky  
Corporate Secretary C. Smith

Press (1)

**Absent:** Councillor M. Fischer & CAO R. Stoutenberg

**Call to Order:** Mayor D. Richards called the meeting to order at 6:31 p.m.

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

**Motion 11:07:19** Moved by Councillor Bachman to approve the agenda as presented.

MOTION CARRIED  
Unanimous

3. **Confirmation of Minutes:**

(a) Minutes of the Regular Meeting of Council held July 5, 2011

**Motion 11:07:20** Moved by Councillor Thorogood that the Minutes of the Regular Meeting of Council held on July 5, 2011 be approved as presented.

MOTION CARRIED  
Unanimous

(b) Business Arising from the July 5, 2011 Meeting Minutes

None

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

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

6. **Administration:** (a) Memo re: Airport Apron Paving Tender

Assistant CAO G. Switenky advised that through the Strategic Transportation Infrastructure Program the Town's application was approved in the amount of \$688,000 under the Community Airport Component for the reconstruction of the existing airport apron (not the runway). This amount represents 100% grant funding and includes reconstruction of the apron, engineering and testing.

Tagish Engineering Ltd. tendered this project and five tenders were received:

Metro Paving and Roadbuilding Ltd.	\$477,043.59
Central City Asphalt Ltd.	\$580,437.90
Black Diamond Paving Ltd.	\$620,956.08
Centennial Earthmovers Ltd.	\$632,721.60
Border Paving Ltd.	\$771,058.58

Tenders include a 5% contingency allowance and 5% GST. Engineering Services including testing are \$70,000. Total costs will be approximately \$547,000, substantially under the approved budget amount.

Metro Paving is scheduled to start the work in September as to not interfere with the Fly-In Breakfast held on Labour Day.

Administration (at the request of the Airport Committee) has contacted Alberta Transportation's grants division to inquire if they would consider expanding the scope of the approved apron limits to include the area to the west and the entrance area at the southeast due to the lower than expected pricing received. At this time, these areas are specifically excluded under the grant and cannot be included.

Discussion ensued on exploring administrative/political avenues to lobby for the spending of the entire amount of grant funds originally approved.

It was mutually agreed that if approval to spend all of the originally approved grant funds was received, Council would most certainly support more paving to be completed at the airport.

**Motion 11:07:21**

Moved by Councillor Thorogood that the Town of Stettler Council award the 2011 Airport Apron Reconstruction Tender to Metro Paving and Roadbuilding Ltd.

MOTION CARRIED  
Unanimous

(b) Memo re: Pathway/Sidewalk Connection Around Hospital

Assistant CAO G. Switenky explained that at the January 18, 2011 Council Meeting, Council requested Administration to review sidewalk and/or pathway connections around the Hospital.

Assistant CAO G. Switenky advised that the Town's accepted Master Trail Plan currently outlines a proposed path system around the hospital on 47 Avenue and along the north side of the hospital adjacent to Highway 12.

M. Robbins and L. Penner completed a practical site inspection to determine the optimum location for the pathway.

The following factors were considered when evaluating the locations:

- Safety
- Constructability
- Cost
- Snow Removal

Council reviewed a map of the area which outlines the proposed placement/connections. This alignment was chosen for the following reasons:

- Connection to West Stettler Park through the existing Lions Campground. This will be beneficial to campers and residents.

- The path would follow along the south side of 47 Avenue, directly adjacent to the golf course. This location will require negotiations with the golf course to relocate the existing fence approximately 5m south. In doing so, this will allow room for additional plantings and a meandering path.
- 61 Street has an exceptionally wide right-of-way (36m), and therefore a path would easily be accommodated along the east side. Currently the golf course uses the boulevard for part of their parking lot. Parking curbs would be required to maintain a safe distance between vehicles and pedestrians using the path. The hospital also has a trail system through an existing garden adjacent to this alignment and connection of the two systems would be possible.
- The pathway would continue along the south side of Highway 12, a small section of sidewalk currently exists that the Town would utilize to reduce construction costs. The pathway at this location would either require removal of the hedge or installation of parking curbs to maintain a safe distance from the pathway to vehicles.

An alignment was not chosen along 47 Avenue (Southside of the hospital) for the following reasons:

- Constructability and Cost – the existing ditches make placement of the pathway in the right-of-way too tight. It would require curb and gutter to be installed along 47 Avenue and a possible buried storm system. High construction costs.
- Pedestrian Safety – the golf course poses a risk with stray golf balls potentially endangering unaware pedestrians.
- Safety when Crossing Highway 56. Currently there is a problem with pedestrians not crossing Highway 56 at the signaled intersection. Alberta Transportation will not permit a crosswalk at this location due to the proximity to the existing crosswalks. As well the sightlines from the curve are not sufficient to allow a vehicle ample time to stop. If the Town brought a path along 47 Avenue, it is a concern that many pedestrians would therefore attempt to cross at this location.
- Installing a path system along the highway instead of 47 Avenue would benefit more pedestrians. Installing a path system along Highway 12 is important due to the commercial expansion that has occurred to the west along the highway. The path would still require additional future expansions to reach the commercial areas.

Assistant CAO G. Switenky advised that the following construction costs would be effective for the 2011 construction year only. A provisional price for pathway paving was included in the 2011 Paving Program tender and the paving price for pathways is very good.

Discussion ensued respecting various alternative pathway locations. Mayor Richards concluded that Administration set up a Council tour to visualize the areas involved. Administration will also review grant programs to determine eligibility and whether this item could/should be funded in 2011 or 2012.

It was mutually agreed that this item be tabled to the September 6, 2011 Council Meeting.

(c) Memo re: Resident Request for Lane Paving Meadowview Lane

Councillors Campbell & Thorogood declared a possible conflict of interest and by departing the meeting excused themselves from voting and discussion on this item.

Assistant CAO G. Switenky explained that a request was received from four residents that live along the south lane of Meadowview Lane Estates. Their request is to have the lane paved (at the Town's expense) as they do not have another access to their homes.

Policy XV-1(g) – Laneway Asphaltting in Town of Stettler states:

- The resident would assume all costs of a complete paving project.
- The paving of lanes should be done in a systematic method. Property owners will be allowed to proceed with paving as long as there is a continuous strip of asphalt.

Historically initial surface improvements in residential districts have been installed by developers/owners. Thereafter the municipality accepts the financial responsibility for maintaining and replacing the infrastructure as required.

Assistant CAO, G. Switenky explained that the residents (condominium association) along Meadowview Lane Estates have paved legal access to their condominium development along 40<sup>th</sup> Avenue. Members of the condominium association however have not paid to develop this access/cul-du-sac, rather decided to keep it as green space.

He further advised that all the condominium owners have acquired their units with full knowledge of the existing access situation, and the market value of their units should therefore reflect this attribute. Since then many have constructed rear garages for practical access purposes and the general municipality should not (now) be financially responsible for providing a higher level of improved surface infrastructure for this one location.

According to the Town's policy and good construction practices, asphalt is not started and stopped mid-lane. The asphalt shall be laid in a continuous method starting at a road and ending at a road. If the asphalt is started or stopped mid-lane the edge of asphalt is subject to damage when grading up to the edge, also the asphalt edge tends to continually break apart thereby compromising the paving.

Another factor to consider when evaluating this lane is the lack of some deep utilities; one existing lot is currently not connected to municipal services. Also, the existing undeveloped quarter sections to the west and south may require service connections to this lane when future development occurs. If the lane is paved, future utility servicing would then require removal and replacement of large portions of the pavement.

Unfortunately, this section of lane is part of a much larger lane connectivity network that would require paving as per Town Policy. In the future when all the servicing requirements have been addressed the residents could approach Council with a formal petition to initiate a local improvement project for the paving of this lane in its entirety.

With a large portion of the lane having residents on one side only, the local improvement repayment plan costs generally are higher per property, and typically the local improvement does not receive 2/3rds majority support from residents.

Historically for Local Improvement purposes, in 2004 the projected costing per lot for paving the lanes in the entire Parkdale area (137 lots) was \$2,125. Following an Open House it was determined that there was not enough support for this initiative. Again in 2008 lane paving costs were estimated for a smaller section in Grandview (26 lots along 63<sup>rd</sup> Street and 43<sup>rd</sup> Avenue). The projected costing per lot was \$4,000 to \$8,000. An informal poll of the area showed there was once again not enough support for the initiative.

Administration respectfully recommends that Council does not consider this lane for paving.

Discussion ensued respecting the Policy and the issues.

It was mutually agreed that a letter be sent to the property owners informing them that the Town of Stettler's Policy XV-1(g) – Laneway Asphaltting in Town of Stettler states:

- The resident would assume all costs of a complete paving project.
- The paving of lanes should be done in a systematic method. Property owners will be allowed to proceed with paving as long as there is a continuous strip of asphalt.

Also, if the property owners would like to initiate a petition for Local Improvement purposes they would need 2/3rds of the property owners in agreement representing at least 50% of the combined property assessment.

Councillors Campbell & Thorogood returned to the regular meeting.

(d) Memo re: East End Playground/Offer to Purchase and Disposal of Parkland

Assistant CAO G. Switenky explained that Town Council previously considered the request from the property owners residing immediately adjacent to the south side of the new East End (Kinsmen) Playground. They have requested to purchase a few meters of adjacent parklands given the proximity of their house to the existing property lines. Additionally, there is a concern for the preservation of some mature trees that would be lost should the Kinsmen Club install a planned fence around the perimeter of the new/existing park. The Kinsmen Club has respectfully delayed the installation of the fence until the ultimate property line has been determined.

Town Council at the July 5<sup>th</sup>, 2011 Council Meeting reviewed the situation, considered the issues, and (at that time) authorized the sale of a one meter continuous strip at fair market/assessed value (\$5,329.48 plus subdivision costs), and subject to the disposal of parklands being publically advertising in accordance with the requirements of the *Municipal Government Act*. In its decision Council was mindful of the potential impacts of reducing the size of useable playground space.

Subsequent to this decision Mayor Richards, CAO R. Stoutenberg and Assistant CAO G. Switenky met with the property owners on site to discuss their choice. At that time it was further realized by both parties that more lands at the front of the property were desired by the property owners, while the Town desired maximum lands at the rear of the property for useable playground purposes. Therefore, it was determined that a single meter strip was likely not the optimal solution.

The parties with the assistance of wooden stakes and a string line determined that a wedged shaped strip would be more suitable to address both parties' issues and concerns. In conclusion it was determined that between 2 and 3 meters was acceptable at the front while between zero and 1 meter was likely appropriate at the back.

A wedge shaped alignment will satisfactorily accommodate the existing trees and allow for the installation and maintenance of the six foot fence over the entire length of the new property line.

Estimated fair market values based on assessed values for 2011 taxation purposes are as follows:

- \* 3 meters at the front and zero meters at the back \$8,102
- \* 2 meters at the front and zero meters at the back \$5,365
- \* 3 meters at the front and 1 meter at the back \$10,767
- \* 2 meters at the front and 1 meter at the back \$8,030

These prices are estimates only and will have to be finalized for accuracy purposes upon completion of a legal plan of survey. The exact placement of the new property pins/property lines may be in fractions of meters to accommodate all issues to the Town's satisfaction.

Assistant CAO G. Switenky explained that the property owners would like to require not less than 3 meters in the front.

It was mutually agreed that CAO R. Stoutenberg should be given the authority to determine the appropriate amount of land disposal under the circumstances.

Town Council also requested that Administration allow the Kinsmen Club to install the perimeter fence as soon as possible.

**Motion 11:07:22**

Moved by Councillor Thorogood that the Town of Stettler Council rescinds its decision previously approved in Council Motion 11:07:07 at the July 5<sup>th</sup>, 2011 Council Meeting respecting the sale of a one meter strip of parkland in East End (Kinsmen) Playground to the adjacent property owners.

And duly authorizes the CAO to determine an appropriate alignment for a new property line based on a wedged shape with more area allowed for the property owners at the front and less area at the back.

And further that the Town of Stettler Council approves the disposal/offer for sale of the lands as determined by the CAO lying within the existing parkland to the property owners adjacent to the south side of the newly constructed East End (Kinsmen) Playground. And that a price is to be set at the assessed value for 2011 taxation purposes prorated to the actual size, and with all related costs associated with the subdivision to be paid for by the buyer.

And finally the Town of Stettler Council acknowledges that this is an acceptable amount of parkland disposal, under the circumstances; to accommodate an appropriate route for the installation and maintenance of a perimeter fence around the playground, saves the most mature trees while still providing adequate useable space/parkland for the people utilizing the playground in the east end of Stettler.

MOTION CARRIED  
Unanimous

(e) Request for Decision re: Subdivision 2011-06

Assistant CAO G. Switenky explained that the applicant (883820 Alberta Ltd.) is proposing to create two (2) Direct Control Residential Parcels of +/- 0.9 acres and one (1) remaining Highway Commercial Parcel of +/- 1.98 acres at Parcel A, Plan 6166HW located at 4019-50 Street.

Assistant CAO G. Switenky also explained that the applicant received a rezoning from Highway Commercial to Direct Control Residential for a portion of the parcel on May 3, 2011. The property currently contains a single family dwelling and an accessory building.

Assistant CAO G. Switenky further explained that the developer is responsible for making suitable arrangements with utility companies for provision of all services and/or necessary easements for utility rights-of-way. Any existing instruments on the land title in favor of the users of lease roads, pipelines or other oil and gas facilities or other infrastructure shall be carried forward to the land title of the proposed parcel.

Assistant CAO G. Switenky finally advised that the tentative Plan of Subdivision has been evaluated in terms of Section 654 of the Municipal Government Act and Section 7 of the Subdivision and Development Regulations.

**Motion 11:07:23**

Moved by Councillor Wildeboer that the Town of Stettler Council approve Subdivision Application 2011-06 to create to create two (2) Direct Control Residential Parcels of +/- 0.9 acres and one (1) remaining Highway Commercial Parcel of +/- 1.98 acres at Parcel A, Plan 6166HW located at 4019-50 Street. The Tentative Plan of Subdivision 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 that the application be approved as per 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 policies of the Municipal Development Plan; and
3. The application is consistent with the Land Use Bylaw 1976-08.

Further, in accordance with Sections 654 and 655 of the Municipal Government Act, the application is approved 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. All outstanding Property Taxes to be paid to the Town of Stettler as per Section 654 (1)(d) of the Municipal Government Act.
3. The applicant shall enter into, and comply with the terms and conditions of, a development agreement with and to the satisfaction of the Town of Stettler, in accordance with Section 655 of the Municipal Government Act, as amended, with regard to all municipal improvements such as water supply, sewage disposal, storm water management, utility right-of-ways, servicing easements, access easements including access/egress of the properties and any other utilities as may be required.
4. Easements for servicing and drainage must be obtained if required by the Town of Stettler (easement requirements will be based in the engineered design for servicing).

MOTION CARRIED  
Unanimous

(f) Request for Decision re: Subdivision 2011-07

Mayor Richards respectfully clarified his association with the adjacent property owners, and it was mutually agreed that he is not in conflict with this item.

Assistant CAO G. Switenky explained that the applicant (Town of Stettler) is proposing to create two (2) mobile home parcels on Lot 17, Block 47, Plan 5571HW located at 5020-43 Street.

Assistant CAO G. Switenky also explained that on June 21, 2011 Town of Stettler Council approved to subdivide the old east end park into two mobile home lots and market them based on the assessed value of the lands. This Council decision was made in light of the relocation of the Kinsmen Tot Lot to a more centralized east end location as desired/supported by the Kinsmen Club and the Town's Parks Master Planning process.

Assistant CAO G. Switenky further explained that this lands upon which the former Kinsmen Tot Lot was located was never zoned for a park, rather remained as R3A (Residential Mobile Home Subdivision).

Assistant CAO G. Switenky advised that one letter of concern was received from an adjacent property owner.

Discussion ensued respecting the adjacent property owners concerns over the reduction of park space in the east end of Stettler.

Assistant CAO G. Switenky advised that the tentative Plan of Subdivision has been evaluated in terms of Section 654 of the Municipal Government Act and Section 7 of the Subdivision and Development Regulations.

**Motion 11:07:24**

Moved by Councillor Bachman that the Town of Stettler Council approve Subdivision Application 2011-07 to create two (2) mobile home parcels on Lot 17, Block 47, Plan 5571HW located at 5020-43 Street. The Tentative Plan of Subdivision 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, that the application be approved as per 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 policies of the Municipal Development Plan; and
3. The application is consistent with the Land Use Bylaw 1976-08.

Further that Council approve this application 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 Town of Stettler provides separate utility service connections to each property.

MOTION CARRIED (5-1)

Opposed: Councillor Thorogood

It was mutually agreed that a letter be sent to the objecting property owners informing them that Council sincerely reviewed and debated their concerns regarding impacts to park/green space in the east end of Stettler resulting from the approval of Subdivision 2011-07.

(g) Memo re: Subdivision Extension Request 2007-12

Assistant CAO G. Switenky explained that Don Peters has submitted a letter requesting an extension until December 31, 2011 for Subdivision 2007-12 to execute the required development agreement and provide a plan of survey for registration with Alberta Land Titles.

On November 6, 2007 the Town of Stettler Subdivision Authority approved a subdivision to create eight industrial lots. The subdivision approval dated November 8, 2007 was issued subject to the following conditions:

*That the application to create eight Industrial lots 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, it is recommended that the application be approved as per 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 and Area Structure Plan.*

*Further, in accordance with Sections 654 and 655 of the Municipal Government Act, the application is approved 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 applicant enters into a Development Agreement with and to the satisfaction of the Town of Stettler.*

**Motion 11:07:25**

Moved by Councillor Campbell that the Town of Stettler Council approves the extension of Subdivision 2007-12 until December 31, 2011 based on the original approval and conditions that a letter be sent to Don Peters informing him that the Town would prefer not to approve any further extensions.

MOTION CARRIED  
Unanimous

(h) Memo re: AUMA Convention and Registration Form

Assistant CAO G. Switenky explained that the AUMA Convention will be held on September 28-30, 2011 at the Telus Convention Centre in Calgary. Rooms have been pre-booked at the Marriott Hotel and registration forms need to be filled out and returned to Charleen by July 25, 2011.

Discussion ensued respecting whether the Town should invite the Villages of Botha, Big Valley and Donaldda to meet for supper while at the convention.

(i) Stettler District Ambulance Association Financial Statements for the Year Ended March 31, 2011

Assistant CAO G. Switenky reviewed the Stettler District Ambulance Association Financial Statements for the year ended March 31, 2011.

**Motion 11:07:26**

Moved by Councillor Simons that the Town of Stettler Council accept the Stettler District Ambulance Association Financial Statements for the year ended March 31, 2011 as presented.

MOTION CARRIED  
Unanimous

(j) Bank Reconciliation as of June 30, 2011

With the Canadian Dollar being strong against the US Dollar currency exchange rates are very attractive. Town Council directed Administration to purchase the final \$200,000 in USD funds (totaling \$700,000 USD); for the planned purchase of a Fire Engine in 2014.

**Motion 11:07:27**

Moved by Councillor Thorogood that the Bank Reconciliation as of June 30, 2011 be accepted as presented.

MOTION CARRIED  
Unanimous

- (k) Statement of Revenue & Expenses and Capital Activity as of June 30, 2011

**Motion 11:07:28**

Moved by Councillor Wildeboer that the Statement of Revenue & Expenses and Capital Activity as of June 30, 2011 be accepted as presented.

MOTION CARRIED  
Unanimous

- (l) Accounts Payable in the amount of \$366,132.04

**Motion 11:07:29**

Moved by Councillor Bachman that Accounts Payable in the amounts of \$205,262.10, & \$160,569.94 for the period ending July 14, 2011 for a total amount of \$366,132.04 having been paid, be accepted as presented.

MOTION CARRIED  
Unanimous

7. **Council:**

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Richards

- July 11 - Site Meeting with property owners re: Kinsmen Park.
- July 18 - Communities in Bloom judges meet and greet at the Town Office.
- Communities in Bloom luncheon at the Museum.
- Communities in Bloom supper at the SRC.
- Met with Rotary re: Sports Park.

(b) Councillor Bachman

- July 18 - Communities in Bloom supper with judges.

(c) Councillor Campbell

- July 14 - Red Deer River Municipal Users Group Meeting at Dickson Dam.
- July 19 - Rodeo Meeting.

(d) Councillor Fischer

- No report – absent from meeting.

(e) Councillor Simons

- July 17 - Welcome supper with Communities in Bloom judges.
- July 18 - Communities in Bloom meet and greet at the Town Office.

(f) Councillor Thorogood

- June 22 - DTHT AGM meeting in Red Deer.
- Portraits of Honour Meeting in Red Deer.
- June 24 - Municipal Planning Commission Meeting.
- July 10 - Castor Legion Commemorative Portraits of Honour presentation.
- July 11 - Stettler District Ambulance Association negotiations.

- July 12 - Stettler District Ambulance Association negotiations.
- Portraits of Honour Meeting in Stettler.
- July 15 - Stettler District Ambulance Association negotiations.
- July 18 - DTHT Finance Budget Meeting with AHS representatives.

(g) Councillor Wildeboer

- June 24 - Fire Authority Meeting.
- June 27 - Stettler Rotary Club Farmer's Appreciation Night.
- July 16 - Lacombe Days Parade.
- July 18 - Communities in Bloom luncheon.

- 8. **Minutes:** (a) None
- 9. **Public Hearing:** (a) None
- 10. **Bylaws:** (a) None
- 11. **Correspondence:** (a) Stettler Regional Board of Trade and Community Development  
(b) Property Tax Payers Left "Holding the Bag" for Motor Vehicle Search Fee  
(c) Homeowners' Efforts Build a Community Playground  
(d) Parkland Regional Library 2010 Annual Report

**Motion 11:07:30**

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

MOTION CARRIED  
Unanimous

- 12. **Items Added:** (a) None
- 13. **In-Camera Session:** (a) There was no In-Camera Session at this Meeting
- 14. **Adjournment:**

**Motion 11:07:31**

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

MOTION CARRIED  
Unanimous at 7:44 p.m.

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Mayor

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Assistant CAO