

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL
HELD ON TUESDAY, AUGUST 16, 2011 IN THE MUNICIPAL OFFICE,
COUNCIL CHAMBERS**

Present: Mayor Dick Richards

Councillors A. Campbell, D. Bachman, M. Fischer & P. Simons

Assistant CAO G. Switenky
Corporate Secretary C. Smith

Press (1)

Absent: Councillors L. Thorogood & S. Wildeboer
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 11:08:12 Moved by Councillor Bachman to approve the agenda as presented with the following addition:

11(f) Correspondence Re: Al Shamal Shriners

MOTION CARRIED
Unanimous

3. **Confirmation of Minutes:**

(a) Minutes of the Regular Meeting of Council held August 2, 2011

Motion 11:08:13 Moved by Councillor Simons that the Minutes of the Regular Meeting of Council held on August 2, 2011 be approved as presented.

MOTION CARRIED
Unanimous

(b) Business Arising from the August 2, 2011 Meeting Minutes

None

4. **Citizen's Forum:** (a) One person was present at the Citizen's Forum

This item was dealt with later in the meeting.

5. **Delegations:** (a) 7:30 P.M. re: East Central Alberta Heritage Society

This item was dealt with later in the meeting.

6. **Administration:** (a) Memo re: Tax Public Auction Date

Assistant CAO G. Switenky advised that Section 418 of the *Municipal Government Act* states that the Public Auction must be held between April 1, 2011 and March 31, 2012. There are currently four residential properties in the 2011 tax recovery process, having taxes originally outstanding in any or all of the following years: 2008, 2009, 2010 & 2011.

The tax recovery process must be strictly adhered to and according to 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 (not including current year) 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 11:08:14

Moved by Councillor Bachman that the Town of Stettler Council set the 2011 Tax Public Auction date as October 26, 2011 and approve using the 2011 assessment values as the reserve bids for all 2011 tax sale properties and that the terms for the sale be cash or certified cheque.

MOTION CARRIED
Unanimous

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

Assistant CAO, G. Switenky noted that Section 436.09 of the *Municipal Government Act* states that the Public Auction must be held between April 1, 2011 and March 31, 2011. There are currently four mobile homes in the 2011 tax recovery process for designated Manufactured Homes having taxes outstanding in any or all of the following years 2009, 2010 & 2011.

The tax recovery process must be strictly adhered to and 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 11:08:15

Moved by Councillor Fischer that the Town of Stettler Council set the 2011 Tax Public Auction date as October 26, 2011 and approve using the 2011 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

(c) Memo re: Mock Disaster Update

Assistant CAO G. Switenky explained that a table top exercise was held August 11, 2011 to prepare staff for the Mock Disaster to be held August 30, 2011. The mock disaster is more comprehensive and may also involve other responding agencies. Council's role in the event of a disaster is to declare the state of a local emergency, work with the Public Information Officer and Director to provide information for the press and public, and to terminate the declaration when appropriate.

It would be nice to have the Mayor and/or Deputy Mayor attend the mock event as well as any other members of Council who desire to do so.

It was mutually agreed that Mayor Richards and Deputy Mayor Al Campbell will attend the mock disaster on Tuesday, August 30, 2011.

(d) Memo re: Meeting with MLA

Assistant CAO G. Switenky explained that Town Council normally meets with the MLA two to three times a year to discuss items of interest or concern. It has been several months since the last meeting with the Honourable MLA Hayden.

MLA Hayden's office has been requested to provide dates that he is available in late August or early September.

Possible agenda items include: Health Center Updating, Leadership Race, Future Provincial Elections, SRC Updating Project, West Stettler Park Expansion.

It was mutually agreed that Administration coordinate a meeting with the MLA and to approve the above noted agenda items with additions/deletions as authorized by the Mayor.

(e) Memo & Policy re: Cemetery Maintenance Protocol

Director of Parks & Leisure Services, L. Penner entered the meeting at 6:38 p.m.

Mayor Richards welcomed L. Penner to the meeting.

L. Penner explained that at the Council Meeting in May a slide show and a cemetery protocol were presented describing the increased work and costs associated with the continuous accumulation of flowers and objects on or near gravesites. The safety of Town employees using equipment to maintain the site is very important.

Immediate solutions were discussed and the best tool for staff to work with is a cemetery protocol policy. This would require staff to clean gravesites on a timely basis with appropriate respect to mourners and the items left behind.

L. Penner noted that he has since spoken with the Funeral Homes and they will assist with the education on the cemetery protocol.

Town Council reviewed the draft cemetery protocol policy as presented.

Motion 11:08:16

Moved by Councillor Fischer that the Town of Stettler Council approve the Cemetery Protocol as Policy and to include the Policy in an eventual new Cemetery Bylaw.

MOTION CARRIED
Unanimous

(f) Memo re: 2011 Pathway Project

Director of Parks & Leisure Services, L. Penner explained that \$100,000 has been allotted in the 2011 Capital Budget to extend the Town's asphalt path system through the Town. Council had previously approved a pedestrian crossing under the rail road tracks with pathway connection to Cold Lake.

The pedestrian crossing was anticipated to be completed this spring in coordination with Alberta Prairie Steam Tours. However, due to timing conflicts the construction has been delayed until Alberta Prairie's tourist season is over. To properly complete the work, the new asphalt trail would connect to the pedestrian crossing after it has been installed.

Metro Paving will be mobilizing into Town in late August with expected completion dates of September 30th. This does not allow enough time to construct the proposed pedestrian crossing and still have a contractor available to complete the pathway.

As an alternative pathway project, Council previously requested Administration to review pathway connections at and around the hospital. At the July 19, 2011 Council Meeting a recommended pathway connection was provided for Council's discussion. This location follows the Town's adopted Trails Master Plan.

Discussion ensued respecting why an asphalt pathway in some areas is needed to be put in when there is a sidewalk (across the street) that can be incorporated. It was noted that specifically along the proposed pathway route there are street/intersection crossings that will be eliminated by avoiding the existing local sidewalk on the opposite side of the street.

Discussion continued respecting good pathway planning and the desires/expectations of the public who use the pathway system.

Motion 11:08:17

Moved by Councillor Bachman that the Town of Stettler Council authorizes Administration to contact the Stettler Golf Course, Alberta Health Services and Willow Creek Lodge for their cooperation and consideration of the proposed pathway location. And that Council accepts a delay in the completion of the pedestrian crossing and pathway connections behind the Fire Hall until 2012. And further that Council approves the proposed pathway location around the hospital, as presented for construction in 2011.

MOTION CARRIED (4-1)
Opposed: Councillor Campbell

L. Penner further provided a brief update to Council on the progress of the reconstruction of the new soccer pitches.

Mayor Richards thanked L. Penner for his presentation.

L. Penner departed the meeting at 6:59 p.m.

4. **Citizen's Forum:** (a) Werner Schicker re: Kinsmen East End Playground

Werner Schicker entered the meeting at approximately 7:00 p.m.

Mayor Richards welcomed W. Schicker to the meeting.

W. Schicker explained that he was before Council to discuss his concerns regarding the advertised disposal of some park land (by the east end Kinsmen Playground) to adjacent property owners. He disagrees with the amount and location of the lands being disposed of.

W. Schicker also submitted to Council a few supporting form letters from residents expressing their shared concern with the Town's intent to dispose of parkland in this area.

Planning & Development Officer, L. Graham explained the appeal opportunities for disposal of park land.

Assistant CAO, G. Switenky advised that an agreement has been drafted with the property owners to the south of the playground for the purchase of 3 meters at the street front and zero meters at the back of the newly constructed playground area. This agreement is secured with refundable deposit from the purchaser, and is subject to the Town fulfilling all obligations required under the *Municipal Government Act (MGA)*.

W. Schicker clarified that he is not opposed to the original one meter continuous strip that had previously been approved by Council, however he is opposed to a wedge shaped strip as subsequently negotiated with the adjacent property owners.

W. Schicker also questioned when the perimeter fence could be installed. It was explained that the due process as outlined in the *MGA* must be followed prior to any fence being installed.

Mayor Richards thanked W. Schicker for attending the meeting and expressing his concerns.

W. Schicker departed the meeting at 7:11 p.m.

(g) Memo & Policy re: Electronic Device Usage

Assistant CAO G. Switenky reviewed a policy that identifies inappropriate times to use electronic devices at work. This initial draft of the policy is complimentary with the Bill 16 – Distracted Driving Legislation that becomes effective September 1, 2011.

In reviewing this new legislation which applies only while driving it became apparent to Administration that it is also important to address the use of personal devices while at work as well.

Discussion ensued respecting whether there are any existing concerns or issues relating to the use of electronic devices at work. It was mutually accepted that Council is respectful that staff will only use their provided and/or personal cell phones on an as needed basis.

Assistant CAO G. Switenky responded that there were no abuse issues in the workplace at this time however it would be prudent to have a basic/broad policy in place to educate and guide our staff, and hopefully avoid any issues that may otherwise occur in the future.

In this world of social media, text messaging etc. there is a perceived need to be connected to work, friends and home at all times. This in itself is not a problem as long as it does not materially affect an employee's performance at work.

The general purpose of this policy is to ensure electronic devices are used in accordance with the Alberta Traffic laws and that while employees are at work, they remain focused on their work activities.

Motion 11:08:18

Moved by Councillor Bachman that the Town of Stettler Council approve the Electronic Device Usage Policy as presented.

MOTION CARRIED
Unanimous

(h) Municipal Share of Provincial Oil Sands Royalties

Assistant CAO G. Switenky advised that according to a Canadian Energy Research Institute report released in June 2011, there may be a 5 fold or more increase in royalties realized from the Alberta Oil Sands in the next 6 years, from approximately \$4 billion to over \$20 billion.

An Alderman with the City of Calgary is proposing that the Province of Alberta be encouraged to dedicate at least 10% of these potential new revenues to impacted municipalities across the Province.

This initiative is intended to start the conversation of how Alberta can best address financial pressures and the costs of growth faced by Alberta Municipalities caused directly and indirectly by the Oil Sands, a large part of which is deteriorating or badly needed new infrastructure.

It was mutually agreed that this item be discussed at the AUMA Convention in September.

This item was accepted for information purposes.

(i) Request for Decision re: Land Use Bylaw 2018-11

Planning & Development Officer, Leann Graham and Contract Planner, Dave Dittrick entered the meeting at 7:18 p.m.

Contract Planner, D. Dittrick advised that the current Land Use Bylaw was a major re-write which occurred in 2008. Upon working with the Bylaw for three years, and following the annexation of lands from the County of Stettler, Administration prepared a number of recommendations which are "minor" in nature.

The recommendations were vetted to the public through the following means: mail-outs to affected landowners; promotion via the Town's home page; and consultation via a public open house. Stakeholders were asked to complete a survey on the proposed changes to the land use bylaw.

To date, only two surveys were received. No changes are suggested following a review of the surveys received.

Upon completion of the initial public consultation phase, it is now recommended that Council give 1st Reading to Bylaw 2018-11.

Town Council reviewed various recommended changes to the Land Use Bylaw.

Mayor Richards with the mutual consent of Council varied the order of the agenda to consider Bylaw 2018-11 for first reading only.

10. Bylaws:

(a) 2018-11 re: Enact the Town of Stettler Land Use Bylaw

Mayor Richards briefly explained that Bylaw 2018-11 will replace the existing Stettler Land Use Bylaw given numerous relatively minor amendments required since the last major re-write.

Motion 11:08:19

Moved by Councillor Fischer that the Town of Stettler Council give first reading to Bylaw 2018-11.

MOTION CARRIED
Unanimous

Planning & Development Officer, Leann Graham and Contract Planner, Dave Dittrick departed the meeting at 7:29 p.m.

5. Delegations:

(a) 7:30 P.M. re: East Central Alberta Heritage Society (ECAHS)

Bob Willis, Norma Leslie & Bruce Gartside, East Central Alberta Heritage Society entered the meeting at 7:30 p.m.

Mayor Richards welcomed delegation members to the meeting.

B. Willis explained that the Heritage Society is pursuing a Federal designation for a historical heritage corridor that exists in Stettler County and Camrose County being the railway right-of-way owned by ECAHS.

He explained that once they have approached municipalities and interested groups in the corridor the Society will apply to Heritage Canada.

It was noted that they were not requesting any funding from Council at this time, rather respectfully keeping Council informed of their tourism/heritage preservation initiative.

Mayor Richards thanked delegation members for their informative presentation and wished them well in their endeavors to preserve Canadian Heritage.

Delegation members departed the meeting at 7:42 p.m.

6. **Administration Cont'**: (j) Accounts Payable in the amount of \$405,664.10

Motion 11:08:20

Moved by Councillor Simons that Accounts Payable in the amounts of \$104,012.69 & \$301,651.41 for the period ending August 12, 2011 for a total amount of \$405,664.10 having been paid, be accepted as presented.

MOTION CARRIED
Unanimous

7. **Council:**

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Richards

- Aug 5 - Town Office duties.
- Interview with Sunny 94 re: Development in Stettler.
- Aug 12 - Town Office duties.
- Parade and luncheon.

(b) Councillor Bachman

- No meetings to report. Advised Council that Deb Cryderman, Librarian has handed in her resignation.

(c) Councillor Campbell

- Aug 12 - Parade and luncheon.
- Aug 12/14 - Steel Wheel Stampede.
- Aug 14 - Pancake breakfast.

(d) Councillor Fischer

- Aug 2 - Detail drive in Stettler re: unsightly properties. Bylaw Officer has already dealt with.
- Aug 12 - Parade and luncheon.
- Aug 13 - Attended the Village of Botha's 100th Anniversary and functions and drove in the parade.
- Aug 14 - Pancake breakfast.
- Aug 15 - Toured properties for possible Public Auction. Spoke with Jack Chapman re: Memorial Park.

(e) Councillor Simons

- Aug 12 - Parade Luncheon.
- Aug 14 - Pancake breakfast.

- (f) Councillor Thorogood
- No report – absent from meeting.
- (g) Councillor Wildeboer
- No report – absent from meeting.

- 8. Minutes: (a) None
- 9. Public Hearing: (a) None
- 10. Bylaws: (a) 2018-11 re: Enact the Town of Stettler Land Use Bylaw
This item was dealt with earlier in the meeting.
- 11. Correspondence:
 - (a) Canadian Badlands Tourism Leadership Symposium
It was noted that Councillor Campbell will attend the symposium.
 - (b) Recycling Means Business
It was noted that Councillor Fischer has been registered for the Recycling Conference October 5-7, 2011.
 - (c) Edmonton Using LED Lights to Save Money
 - (d) Thanks to Fire Department
Mayor Richards advised that he has personally thanked Deputy Fire Chief Etienne Brugman for his excellent performance and assistance with the plane accident and requested that he pass on his sincere thanks to the other members of the Fire Department.
 - (e) Visit the Stettler Volunteer Centre on Facebook
 - (f) Al Shamal Shriners
It was noted that Councillor Campbell will attend the initiation of new members into the shrine on Saturday, October 1, 2011.

Motion 11:08:21

Moved by Councillor Campbell that correspondence items 11(a) to 11(f) 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 11:08:22

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

MOTION CARRIED
Unanimous at 8:02 p.m.

Mayor

Assistant CAO