

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL  
HELD ON TUESDAY, AUGUST 17, 2010 IN THE MUNICIPAL OFFICE,  
COUNCIL CHAMBERS**

**Present:**

Mayor Dick Richards

Councillors A. Campbell, D. Bachman, D. Dennis, D. Garbutt &  
R. Peebles

Assistant CAO G. Switenky  
Corporate Secretary C. Smith

Press (2)

**Absent:**

Councillor L. Thorogood & CAO R. Stoutenberg

**Call to Order:**

Mayor D. Richards called the meeting to order at 6:30 p.m.

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

**Motion 10:08:17**

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

12(a) Hospital Parking Issue

MOTION CARRIED  
Unanimous

3. **Confirmation of Minutes:**

(a) Minutes of the Regular Meeting of Council held August 3, 2010

**Motion 10:08:18**

Moved by Councillor Campbell that the Minutes of the Regular Meeting of Council held on August 3, 2010 be approved as presented.

MOTION CARRIED  
Unanimous

(b) Business Arising from the August 3, 2010 Meeting Minutes

(i) Wastewater Upgrading Program

COA, G. Switenky advised that the program is on board and proceeding and must be completed by March 31, 2011 to be eligible for (Federal) Stimulus Funding.

4. **Citizen's Forum:**

(a) No one was present at the Citizen's Forum

5. **Delegations:**

(a) None

6. **Administration:**

(a) Memo re: Lot Sale Forms/Lot Re-Purchase Option

Assistant CAO, G. Switenky informed Council that Brownlee LLP was instructed to prepare new land sale agreements as the current Town of Stettler lot sale agreements are no longer adequate/legally defensible.

Assistant CAO, G. Switenky advised that Brownlee LLP has initially prepared a number of "Draft" documents for use by the Town with respect to land sales. These documents include:

1. Sale, Subdivision and Construction Agreement with Option Agreement;
2. Sale and Construction Agreement with Option Agreement;
3. Caveat Re: Option Agreement; and
4. Transfer Back.

As Council is reviewing these documents for the first time it was mutually agreed that they are for discussion only and that no decision would be made tonight (August 17) given the inherent complexity associated with the documents.

Assistant CAO, G. Switenky explained that the proposed Sale and Construction Agreement varies from the Town's current Lot Sale Agreement in that the Town will now be required to transfer title to the purchaser upon execution of the sales agreement following satisfaction of its conditions (monies paid in full, apply for and obtain a development permit, enter into a development agreement, etc.). In addition, the Purchaser will also simultaneously enter into an irrevocable Option to Purchase Agreement, which will allow the Town to repurchase the lands back at a preferable rate (to be defined in Bylaw), thereby "encouraging" the purchaser to develop the property.

The Option to Purchase Agreement, registered by way of Caveat on the title, is the key tool to ensure completion of development.

Discussion ensued regarding the requirement to transfer title sooner than under the existing Agreement.

Under the new Agreement/Option, if the purchaser fails to complete the construction of the proposed development by the required deadline, the Town may then exercise its rights pursuant to the Option to Purchase in order to reacquire the lands at a reduced or even nominal purchase price.

If the purchaser requests an extension of the deadline, and the Town is agreeable to such an extension, an amending agreement may be executed between the two parties. This approach may be also combined with requiring the purchaser to provide a development deposit or letter of credit, which would be refunded or cancelled upon completion of the development.

Discussion continued regarding Council's differing expectation/tolerance for penalties respecting a simple cancellation by a purchaser verses the Town having to execute its option to repurchase because the purchaser is not acting in good faith.

Assistant CAO, G. Switenky advised that the Town lawyers still need to address (in the Agreement) compensation to be paid to the purchaser for improvements made to the property prior to the Option to Repurchase being exercised. He noted that the new Land Sale Agreement currently contemplates that the Town is able to reduce the re-purchase price by the cost associated with reclaiming the lot to its original presale state.

After reviewing the new Lot Sale Agreements, Council and Administration mutually agreed that the Agreements need more work and it was hoped that they could be simplified like the existing Agreement.

Assistant CAO, G. Switenky also noted that Policy V-4(c) being the Marketing of Town of Stettler Residential Lots would also need to be amended to incorporate numerous changes to mirror the new Lot Sale Agreement.

This item will be brought back to a future Council Meeting.

(b) Memo re: Mayor & Councillor Group Accident Insurance

Assistant CAO, G. Switenky explained that the Town of Stettler currently covers the Mayor, 6 Councillors and 5 Administrative employees for Group Accident Insurance through AMSC Insurance Services Ltd. Town Council had previously instructed Administration to investigate the cost for optional AD&D 24 hour coverage of \$100,000. It was noted that the combined annual cost is \$969 per year. Alternatively it presently costs the Town \$153 for \$50,000 coverage over occupational time only.

Discussion ensued respecting that the relatively low current level of coverage which has not been changed for many Council terms.

Assistant CAO, G. Switenky advised as directed at the previous Council Meeting Policy II-3(b), being the Council Remuneration policy will be amended to increase the Mayor's annual salary to \$20,000 with the Councillor's salaries to be set at 2/3 of the Mayor's salary being \$13,333.

In addition, the Remuneration Policy could also to be amended to include an optional SRC family pool/fitness pass for elected officials, as well as to add a new clause #6 to address per diems associated with extra-ordinary external Board related duties that may be performed by a member of Council during a normal working day.

Following discussion Mayor Richards concluded that a majority of Town Council Members mutually agreed to direct Administration to prepare amendments to Policy II-3(b) to add the following:

1. Annual Family Pass to the Stettler Leisure Centre for elected officials; subject to the same guidelines as relating to permanent full-time employees within the Town's Employee Health & Wellness Policy.
2. Expand the application of AD&D to 24 hour coverage with a policy limit to \$100,000.
3. "Extra-ordinary" external Board related duties "Required" to be performed by a Member of Council during a normal working day. As well as any other "Necessary" Council related duty/function where there is a reasonable expectation of employment/business income loss being incurred by a Member of Council. It is the responsibility of individual Members of Council to accrue this extra-ordinary time in cumulative increments of a minimum of four (4) hours prior to the Mayor's consideration and approval of the applicable full or half day rates. This provision does not apply to a Council Member's time that is reimbursable by the Parkland Regional Library Board or that is interpreted by the Mayor to be part of the Member's regular annual remuneration. The Mayor shall be relatively consistent in his/her interpretation and approval of extra-ordinary per diems for Members of Council so as not to erode usual duties and meeting attendances that are expected to be undertaken as part of the annual remuneration.

(c) Memo re: Rain Barrel Program

Assistant CAO, G. Switenky reviewed the memorandum from the Director of Operational Services, J. Keith regarding the rain barrel sales. It was noted that the rain barrel sales have far exceeded the Town's expectations.

To date 119 rain barrels have been sold through the following organizations:

Heartland Youth Centre – 27 for \$540 profit.  
Stettler Board of Trade – 41 for \$820 profit.  
Stettler Child Care – 11 for \$220 profit.  
Stettler Public Library – 40 for \$800 profit.  
In Stock – 40 barrels

Council questioned if the County of Stettler had incorporated a Rain Barrel Program as well. No one was aware if they had done so.

The Rain Barrel Program memorandum was accepted for information purposes.

(d) Memo re: Supply of Road Oil for Gravel Dust Control

Assistant CAO, G. Switenky reviewed the memorandum from the Transportation Foreman, Ivan Wilford regarding the supply of road oil for gravel dust control.

The Town received two bids for supplying road oil for gravel dust control as follows:

Petra Products of Sherwood Park	\$0.592/per L (\$29,600)
Sands Dust Control of Innisfail	\$0.593/per L (\$29,650)

Pricing was based on 50,000 litres supplied and applied, and more may be required. Both companies have been used in the past.

**Motion 10:08:19**

Moved by Councillor Garbutt that the Town of Stettler Council approve the purchase for supplying road oil for gravel dust control from Petra Products of Sherwood Park at a cost of \$29,600 (tax out) as presented.

MOTION CARRIED  
Unanimous

(e) Memo re: Purchase of Fire Hall Exhaust System

Assistant CAO, G. Switenky reviewed the memorandum from the Regional Fire Chief, M. Dennis regarding the purchase of an emergency vehicle exhaust extraction system.

The Town received bids for a vehicle exhaust extraction system as part of the Stettler Regional Fire Station renovation project. They are as follows:

Nederman Canada Ltd. - \$48,701.94  
Aqua Air Systems Ltd. - \$82,125.00

CAO, G. Switenky advised that the \$48,701.94 is for parts only and that it does not include installation. The exhaust system will be installed by internal fire personnel.

Staff is recommending the purchase of the Nederman System from Nederman Canada Ltd. as the price is within the 2010 capital renovation budget.

Nederman Canada Ltd. has a sales and service department based in Edmonton. It was noted that Nederman systems have been installed in Red Deer, Calgary, Lethbridge, Medicine Hat, Rocky Mountain House, Innisfail and Olds and none of them have had any issues with this system.

**Motion 10:08:20**

Moved by Councillor Peeples that the Town of Stettler Council approve the purchase of an Emergency Vehicle Exhaust Extraction System from Nederman Canada Ltd at a cost of \$48,701.94 as presented.

MOTION CARRIED  
Unanimous

(f) Stettler Waste Management Authority Financial Statements

Assistant CAO, G. Switenky reviewed the Stettler Waste Management Authority Financial Statements for the year ended December 31, 2009.

**Motion 10:07:21**

Moved by Councillor Campbell that the Town of Stettler Council accept the Stettler Waste Management Authority Financial Statements for the year ended December 31, 2009 as presented.

MOTION CARRIED  
Unanimous

(g) Accounts Payable in the amount of \$468,772.52

**Motion 10:08:22**

Moved by Councillor Bachman that Accounts Payable in the amounts of \$94,453.45 & \$374,319.07 for the period ending August 13, 2010 for a total amount of \$468,772.52 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 22 - MLA Golf Tournament at Pheasantback.
- July 23 - Town Office duties.
- July 26 - Holidays.
- to Aug 5
- Aug 6 - Town Office duties.
- Aug 13 - Town Office duties.
- Met with Black Elk Hockey Camp representatives.
- Aug 14 - Dignitary luncheon and parade.
- Aug 15 - Steel Wheel Stampede.
- Aug 17 - Meeting with consultant, John Volgelzang.

(b) Councillor Bachman

- Aug 13 - Municipal Planning Commission Meeting.
- Aug 16 - FCSS Meeting.

(c) Councillor Campbell

- Aug 1-15 - Steel Wheel Stampede.
- Aug 13 - Municipal Planning Commission Meeting.
- Aug 15 - Joint Town & County pancake breakfast.

(d) Councillor Dennis

- Aug 15 - Joint Town & County pancake breakfast.

(e) Councillor Garbutt

- Aug 15 - Joint Town & County pancake breakfast.

(f) Councillor Peeples

- Aug 13 - Municipal Planning Commission Meeting.
- Aug 14 - Parade dignitary luncheon.
- Aug 15 - Joint Town & County pancake breakfast.

(g) Councillor Thorogood

- No report – absent from meeting.

8. **Minutes:** (a) None
9. **Public Hearing:** (a) None
10. **Bylaws:** (a) None
11. **Correspondence:** (a) Central Alberta Economic Partnership  
Assistant CAO, G. Switenky advised that a cheque has been re-issued and the CAEP Member Support Declaration re-sent.
- (b) Kids, Dogs Cut Loose Together in Style
- (c) Cleaner and Leaner – Can New Waste-to-Energy Technologies Keep Their Promise?
- (d) Coalition of Municipalities Against Racism and Discrimination
- (e) Municipal Heritage Forum 2010
- Motion 10:08:23** Moved by Councillor Dennis that correspondence items 11(a) to 11(e) inclusive be accepted for information.
- MOTION CARRIED  
Unanimous
12. **Items Added:** (a) Hospital Parking Issue  
It was noted that the parking issue has been addressed with Senior Management at the Health Care Centre and that the Town is waiting for a letter of response expected in early September.
13. **In-Camera Session:** (a) There was no In-Camera Session at this meeting.

14. **Adjournment:**

**Motion 10:08:24**

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