

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL
HELD ON TUESDAY, AUGUST 19, 2008 IN THE MUNICIPAL OFFICE,
COUNCIL CHAMBERS**

Present: Mayor J. Hunter

Councillors A. Campbell, D. Dennis, D. Garbutt, R. Peeples &
D. Richards

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

Press (2)

Absent: Councillor L. Thorogood

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

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

Motion 08:08:13 Moved by Councillor Peeples to approve the agenda as presented with the following additions and deletions:

Additions:

12(a) Shooting Star Hockey School
12(b) Spray Park Concern

Deletion:

6(h) Statement of Revenue & Expenses as of July 31, 2008

MOTION CARRIED
Unanimous

3. **Confirmation of Minutes:**

(a) Minutes of the Regular Meeting of Council held August 5, 2008

Motion 08:08:14 Moved by Councillor Campbell that the Minutes of the Regular Meeting of Council held on August 5, 2008 be approved as presented.

MOTION CARRIED
Unanimous

Councillor Richards entered the meeting.

(b) Business Arising from the August 5, 2008 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: 2008 Assessment Review Board Notice of Hearing

Director of Finance & Administration, G. Switenky explained that on May 23, 2008 the Town of Stettler mailed out a Combined Assessment and Tax Notice to all owners of property in Stettler. Within 150 days of sending these notice(s) the Assessment Review Board (ARB) must meet to hear any complaints received from an "Assessed Person or a Taxpayer".

The Town has received seven complaints this year requiring the Board to meet on or before October 20, 2008.

The *Municipal Government Act* requires the Clerk of the Assessment Review Board to set the date, time and location for the hearing. Bylaw 1848-02 appoints the Secretary – Treasurer (Director of Finance and Administration) to act as the Clerk of the ARB. The date set for the 2008 Assessment Review Board Hearing is Tuesday October 7th, 2008 at 3:00 p.m. in Council Chambers.

The Members of Council appointed to the ARB are as follows:

Councillors Peeples, Dennis, Campbell, Richards and Garbutt (Alternate Councillor Thorogood)

An Agenda, including a brief orientation session (approximately 15 minutes prior to the official hearing) will be prepared and distributed to all appointed members (subject to the withdrawal of all complaints).

This item was presented for notice and information purposes only.

(b) Memo re: Tax Public Auction Date

Director of Finance & Administration, G. Switenky reported that Section 418 of the *Municipal Government Act* states that the Public Auction must be held between April 1, 2008 and March 31, 2009. There are currently two residential properties in the 2008 tax recovery process; having taxes originally outstanding in any or all of the following years 2005, 2006 & 2007.

Under 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 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 08:08:15

Moved by Councillor Richards that the Town of Stettler Council set the 2008 Tax Public Auction date as October 28, 2008 and approve using the 2008 assessment values as the reserve bids for all 2008 tax sale properties and that the terms for the sale be cash or certified cheque.

MOTION CARRIED
Unanimous

(c) Memo re: Stettler Child Care Lease Update

Town Manager, R. Stoutenberg reviewed the memorandum from W. Holowachuk, Development Officer regarding amending the Stettler Child Care Lease Agreement.

Stettler Child Care has recently applied to Alberta Liquor and Gaming to run a casino for fundraising purposes. In reviewing their lease agreement, Alberta Liquor and Gaming (ALG) has informed them that a fixed lease term must be specified within the lease agreement in order for ALG to ensure that the Stettler Child Care Center has the right to use this facility, and that the Town of Stettler cannot cancel the lease during this period of time.

The existing lease agreement has an indefinite lease term that allows the building to be used continuously as a child care center until such a time that this specific use ceases. However this does not satisfy the Alberta Liquor and Gaming's strict requirements. As a result Administration has rewritten the lease to reflect a five year lease term with the tenant having the option to automatically extend the lease for another five years to 2018.

The existing lease agreement also referred to a \$69,116.97 net cost that was to be paid to the Town of Stettler for use of the building. This cost was to be paid on a monthly basis from March 2000 to February 2010, however the remainder owing by the tenant was paid in its entirety by January 2008. As a result of this Administration has removed any reference regarding this payment obligation from the new lease.

Motion 08:08:16

Moved by Councillor Peeples that the Town of Stettler Council approves the amended Stettler Child Care Lease Agreement as presented.

MOTION CARRIED
Unanimous

(d) Memo re: 1139817 Alberta Ltd. – Economic Incentive

Town Council reviewed the memorandum from W. Holowachuk, Development Officer regarding an Economic Incentive for 1139817 Alberta Ltd. in the amount of \$7,345.80 for asphalt repair on 62nd Street.

It was highlighted that their development permit application was approved by Municipal Planning Commission for the construction of two fourplexes and one triplex at 4807 – 62nd Street.

Discussion ensued regarding the history and relative consistency of providing economic incentives or other negotiated types of development assistance.

Motion 08:08:17

Moved by Councillor Campbell that the Town of Stettler Council approve that 1139817 Alberta Ltd. be granted a \$7,345.80 economic incentive in the form of asphalt repair on 62nd Street under the Town of Stettler Policy XVI-4(b) and that all works are completed as part of the Town of Stettler's 2008 asphalt replacement program.

MOTION CARRIED
Unanimous

(e) Memo re: Town Wells

Town Manager, R. Stoutenberg reviewed the memorandum from J. Keith, Director of Operational Services regarding groundwater wells.

Under the terms of our new Water License (Provincial) the Town shall by December 31, 2009 either:

- Notify the Director in writing that the use of the groundwater wells for emergency purposes under this approval will be discontinued; or
- Submit an application for an amendment to the Director for the continued use of the groundwater wells for emergency purposes.

Design upgrades for the new Regional Water System make the wells impractical to operate and will likely make their combined volumes unnecessary, even for emergency purposes.

If we elect to retain them we will have to submit an application to amend our approval to use the wells for emergency purpose only. We have three active wells which produce a total of 1,800 cubic meters per day. Our current minimum daily demand is 2,200 cubic meters. It takes 24 hours to prep the wells before we can start pumping.

When we switch over to membranes our disinfection process will change from chlorine to chloramination. If we are to continue using the wells we will have to upgrade these sites to inject Sodium Hypochlorite and install monitoring & alarming equipment. A hydrogeologic sensitivity assessment of the aquifer will be required and a sanitary survey once every five years. There will be additional annual operational and maintenance cost to meet stricter AENV 2006 Standards and Guidelines for groundwater. Total start up cost at this time is unknown but is estimated at around \$50,000.

Discussion ensued regarding the purpose and intent of our existing wells for emergency backup purposes.

Town Manager, R. Stoutenberg advised that representatives from Associated Engineering will be attending Council on September 16, 2008 and that they should be able to competently answer any of Council's concerns.

Motion 08:08:18

Moved by Councillor Campbell that the Town of Stettler table this matter to the September 16, 2008 Regular Council Meeting.

MOTION CARRIED
Unanimous

(f) Letter from Board of Trade re: Physician Recruitment & Retention Committee

Town Manager, R. Stoutenberg explained that the Stettler Physician Recruitment & Retention Committee met on August 7, 2008 to review the status of recruiting new physician(s) for the Stettler Community.

It was stated that anticipated Physician Recruitment costs are estimated at \$50,000 and that the County of Stettler has approved up to \$20,000 at this time.

Discussion ensued regarding the (uncertain) level of overall anticipated expenses and the underlying administrative terms of the County of Stettler's recent financial commitment.

Motion 08:08:19

Moved by Councillor Richards that the Town of Stettler Council approve a \$20,000 contribution towards Physician Recruitment Costs to be administered by the Physician Recruitment and Retention Committee.

MOTION CARRIED
Unanimous

(g) Memo re: Strategic Update – Highway Intersection Beautification

Town Council reviewed the memorandum from G. Scott, GIS Technician.

The goals of this memo were to address beautification possibilities at the intersection of Highway 12 & 56 and to give some direction to future policy and decisions made by staff and Council.

As a guideline to improve the lot immediately south of the intersection, Administration recommends pursuing the following:

Option A: Basic

- * Remove current bathrooms, banner poles and power pole.
- * Continue on with the planned walking path and statue.

- * Add rock garden and/or natural vegetation – this can provide an aesthetically pleasing solution, stay below sightlines and would require little maintenance. It is the understanding of staff that even maintaining a lawn is prohibited due to the equipment required. As far as maintenance, selective weed control may be needed to allow native plant succession.
- * Add any trees that would be permitted by Alberta Transportation.

Option B: Enhanced

- * Includes the items above, but would also:
- * Explore the feasibility of a higher cost (and more visible) item such as:
 - water feature or fountain. The designs of which vary greatly by design and cost.
 - electronic sign to promote Stettler.

Discussion ensued regarding the role of Council verses the role of the Beautification Committee regarding this site.

Discussion continued regarding various examples of features that could be incorporated on the site and that further input from Alberta Transportation will be required.

It was mutually agreed that G. Scott will work with the Beautification Committee regarding a primarily basic option for Council's consideration, without limiting the possibility for an appropriate feature to be incorporated.

- (h) September Newsletter
 - Back to School: Children Safety – Sept 2
 - Household Toxic Fall Roundup & Paint Exchange – October 2
 - Board and Committee Members Required
 - Citizens of the Year/Business Awards Banquet – October 15
- (i) Statement of Revenue & Expenses as of July 31, 2008
- (j) Accounts Payable in the amount of \$774,131.35

This item was deleted from the item.

Motion 08:08:20

Moved by Councillor Richards that Accounts Payable for the period ending August 13, 2008 in the amount of \$774,131.35 having been paid, be accepted as presented.

MOTION CARRIED
Unanimous

7. **Council:**

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Hunter

- Aug 19 - Meeting with Minister Danyluk.

(b) Councillor Campbell

- Aug 18 - Municipal Planning Commission Meeting.

(c) Councillor Dennis

- Aug 13 - Meeting at Town Office with Brennex and Bearden Engineering re: Joint Building.

(d) Councillor Garbutt

- Aug 18 - Municipal Planning Commission Meeting.

(e) Councillor Peebles

- Aug 18 - Municipal Planning Commission Meeting.

(f) Councillor Richards

- Aug 8 - Physician Recruitment Meeting.

- Aug 13 - Meeting at Town Office with Brennex and Bearden Engineering re: Joint Building.

- Aug 18 - Municipal Planning Commission Meeting.
- Signed cheques as Deputy Mayor.

(g) Councillor Thorogood

- No report – on holidays.

8. **Minutes:**

(a) None

9. **Public Hearing:**

(a) None

10. **Bylaws:**

(a) Memo & Bylaw 1957-08 re: Smoking Bylaw

Town Manager, R. Stoutenberg reviewed the Memo from Officer D. Elliott, Alberta Animal Services regarding proposed amendments to the Smoking Bylaw.

The Town's original Smoking Bylaw #1898-04 was passed on November 16, 2004 (effective July 1st, 2005) as required by a successful vote of the electors. Subsequently provincial legislation has been passed (*Smoke Free Places Act*) similarly prohibiting smoking in public places.

The proposed amendments were prepared by Brownlee LLP at the request of the Town in order to improve the process for enforcement and prosecution of offences.

Administration has reviewed the proposed amendments with respect to the requirements of the *Municipal Government Act* (specifically Section 240), and are of the opinion that the proposed amendments, via a re-write of the original bylaw do not affect the substance of the original Smoking Bylaw #1898-04.

It was noted that for simplicity and for practical future reference purposes that the original Smoking Bylaw #1898-04 will be repealed and replaced with a revised version (rather than amending the original bylaw for every single change required).

It is Administration's opinion, based on advice from Municipal Affairs, that Bylaw #1957-08 including the corresponding repeal of Bylaw #1898-04 can be adopted without any form of advertising as it is for all intended purposes equivalent to a non-substantive amendment of the original bylaw.

It was further stated that a newspaper ad giving notice that the Smoking Bylaw is to be repealed (and replaced) would serve no relevant purpose, and that it may even be confusing and/or misleading to the general public.

Motion 08:08:21

Moved by Councillor Richards that the Town of Stettler Council give first reading to Bylaw 1957-08.

MOTION CARRIED
Unanimous

Motion 08:08:22

Moved by Councillor Garbutt that the Town of Stettler Council give second reading to Bylaw 1957-08.

MOTION CARRIED
Unanimous

Motion 08:08:23

Moved by Councillor Dennis that the Town of Stettler Council give permission for third and final reading to Bylaw 1957-08.

MOTION CARRIED
Unanimous

Motion 08:08:24

Moved by Councillor Peebles that the Town of Stettler Council give third and final reading to Bylaw 1957-08.

MOTION CARRIED
Unanimous

11. **Correspondence:**

- (a) Go Green
- (b) John Volgelzang Farewell Reception
- (c) AUMA – Draft Framework for a Provincial/Municipal Sustainability Partnership Agreement
- (d) AUMA Convention October 2008

Administration will request a meeting with the Commanding Officer of K. Division to discuss our request for new urban members in the context of establishing a more balanced rural/urban detachment in Stettler.

Also Mayor Hunter will request our MLA to set up a meeting with the Minister of Health to discuss hospital upgrades and doctor recruitment.

- (e) Canadian Union of Postal Workers
- (f) RCMP re: Alberta's Crime Reduction and Safe Communities Task Force
- (g) Canadian Water Providers Ceasing Artificial Fluoridation

Motion 08:08:25

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

MOTION CARRIED
Unanimous

12. **Items Added:**

- (a) Shooting Star Hockey School

Discussion ensued regarding what is included in the rental fees paid by the Hockey School.

Discussion continued regarding the importance of making an attempt to retain this hockey school in Stettler for the 2009 season and beyond.

- (b) Spray Park Concern

Discussion ensued regarding the drain on the north side of the park, as well as the inappropriate behavior of dogs in the park and whether signage directed at the owners of dogs should be enhanced.

Mayor Hunter temporarily recessed the meeting at 7:57 p.m.

Mayor Hunter reconvened the meeting at 8:05 p.m.

13. **In-Camera Session:**

- (a) Personnel Matter
- (b) Joint Building
- (c) IDP/Annexation Committee Meeting Agenda

Motion 08:08:26

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 present to discuss the In-Camera items.

MOTION CARRIED
Unanimous at 8:05 p.m.

Motion 08:08:27

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

MOTION CARRIED
Unanimous at 8:55 p.m.

14. Adjournment:

Motion 08:08:28

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

MOTION CARRIED
Unanimous at 8:55 p.m.

Mayor

Director of Finance & Administration