

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL
HELD ON TUESDAY, AUGUST 15, 2006 IN THE MUNICIPAL OFFICE,
COUNCIL CHAMBERS**

Present: Mayor J. Hunter

Councillors A. Campbell, S. Hurley, G. Majeran, 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 06:08:14 Moved by Councillor Richards to approve the agenda as presented with the following addition:

8(b) Minutes - East Central Alberta Regional Water Commission Meeting of August 9, 2006

MOTION CARRIED
Unanimous

3. **Confirmation of Minutes:**

(a) Minutes of the Regular Meeting of Council held August 1, 2006

Motion 06:08:15 Moved by Councillor Campbell that the Minutes of the Regular Meeting of Council held on August 1, 2006 be approved as presented.

MOTION CARRIED
Unanimous

(b) Business Arising from the August 1, 2006 Minutes

None

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

5. **Delegations:** (a) 7:30 P.M. – Dave Dittrick, Zap Municipal Consulting Inc re: Transitional Zoning Study for the C1-A Land Use District

This item was dealt with later in the meeting.

6. **Administration:** (a) Memo re: Highway 12/21 Water Services Agreement

Town Manager, R. Stoutenberg reviewed a draft Agreement between the Town of Stettler and the Hwy 12/21 Water Services Commission to supply treated water via the nearly completed (provincially funded) transmission line from the Town's plant to the Village of Alix.

He explained that the Terms and Conditions are nearly identical to the Three Hills and Lacombe Water Services Agreements that have been reviewed by Administration. The primary differences identified in this Agreement (prepared by the Commission) are:

- a. The definition of a "Confined Feeding Operation" has been removed.
- b. The definition of "Normal Domestic & Municipal Purposes" has been changed to allow a much broader use.
- c. The Agreement should outline that the Town of Stettler adds fluorine.

The proposed Agreement is for a 25 year term with a 5 year notice of termination by either party. Rates will be determined utilizing the principles set out in the American Water Works Association (AWWA) manuals. Initially the rate can be extrapolated from the Campbell Ryder Report (2004); wholesale rate of \$1.026m³.

Annual Quantities and Maximum Daily Quantities were reviewed in relation to the Plant's capacity. It was noted that there is no clause requiring minimum quantities (to be purchased) because all of the capital (pumping) upgrades at the Plant necessary to supply the planned level of treated water have been paid by the Commission.

The Commission's boundaries and the Town's ability (via this Agreement) to control/restrict certain types of larger volume consumption/customers were also discussed. The justification to warrant this control is based on the fact that the existing plant has a limited capacity to produce quality water for normal municipal purposes. It is in the best interest of both parties to ensure the levels of supply under the terms of this Agreement do not cause the current high quality of water (for human consumption) to erode because of excessive demand/usage patterns.

Discussion ensued regarding the complex and technical nature of these Terms and Conditions and whether final consideration of this Agreement could be carried over to the next Council Meeting to allow time for further review and clarification.

Town Manager, R. Stoutenberg commented that the Town has already agreed in good faith to provide the anticipated quantities of water to the municipal partners comprising the Commission. Based on this trusting relationship the Commission/Province has incurred a large capital expenditure and therefore it would be reasonable to allow metered water to flow on a trust basis prior to both parties finalizing the specific Terms and Conditions of the Agreement.

Motion 06:08:16

Moved by Councillor Campbell that the Town of Stettler delay consideration of the Highway 12/21 Water Services Agreement to the September 5, 2006 Council Meeting and further in good faith to provide metered water on a trust basis to the Commission in the interim, if necessary.

MOTION CARRIED
Unanimous

(b) Memo re: Botha Water Agreement

Town Manager, R. Stoutenberg advised that the Botha Utility Monitoring Agreement is up for review as of September 30, 2006.

The Town of Stettler is proposing new rates as follows:

5.0 hours/week @52 weeks per year @\$65.00 per hour (price includes cost of vehicle)	\$16,900.00
2.0 hours/ week @52 weeks per year @\$65.00 per hour: (price includes cost of vehicle)	\$ 6,760.00
Service chlorine pumps 1.5 hours X 13 @ \$51.00/hour:	\$ 994.50
Lagoons - 10 hours @ \$51.00/hour	\$ 510.00
GST @6%	\$ 1,509.87
Total Contract Price per Year	<u>\$26,674.37</u>

The Village of Botha currently pays the Town \$18,144.53 per year under the (expiring) Utility Monitoring Agreement.

As an option, the Town will request that Botha install a Chlorine Analyzer which would give low level callout alarms. The installation of a Chlorine Analyzer would reduce the service trips to three times per week and eliminate weekend trips. This capital expenditure would reduce Botha's operational costs by approximately 50% from the Contract price noted above (and would be actually lower than what they pay the Town currently).

Discussion ensued regarding the expected capital cost (net of grants) associated with installing a Chlorine Analyzer and whether it would be appropriate and considerate for Administration to have preliminary discussions with Botha representatives prior to the September Committee Meeting.

Motion 06:08:17

Moved by Councillor Peeples that the Town of Stettler Council approve the following recommendations:

1. Advise Botha that as of October 31, 2006 the above rates take effect.
2. Offer to meet with Botha representatives at the September Committee Meeting.
3. The rates also apply to future contract services.

MOTION CARRIED
Unanimous

(c) Disaster Training – September 25, 2006

Town Manager, R. Stoutenberg advised that a one day training session will be held on September 25, 2006 for Town and County staff, Department Heads and Councillors. The session will consist of an Emergency Operation Centre set up and orientation in the morning followed by an introductory basic Incident Command System Course (non-certificate) in the afternoon.

Interested members of Council should inform Town Manager R. Stoutenberg for registration purposes.

(d) Request for Subdivision 983329 Alberta Ltd.

Town Manager, R. Stoutenberg advised that the applicant (983329 Alberta Ltd.) is proposing to create two lots on Lot 1, Block 3, Plan 3175TR. The proposed subdivision is located at 6610 – 50 Avenue (along the north side of the Highway 12/Mall service road).

The purpose of the subdivision is to create a parcel of land for the construction of a new Alberta Treasury Branch. The developer/ATB has agreed to change the orientation of the drive through banking egress to alleviate traffic concerns at the main entrance to the mall parking lot. The plan will have exiting traffic return to the mall parking lot prior to entering onto 67th Street or 50th Avenue. At the time the Development Permit was approved a height variance of 6% (2.19 feet) was granted. An access easement has been agreed upon between the applicant (Mall) and the developer (ATB).

Brief discussion ensued regarding the size of the lot to be subdivided and purchased by the Alberta Treasury Branch.

Motion 06:08:18

Moved by Councilor Hurley that Subdivision Application 2006-06 from 983329 Alberta Ltd. to create two (2) parcels on Lot 1, Block 3, Plan 3175TR 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 the Town of Stettler Council approves Subdivision Application 2006-06 as per the 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.
3. There are no major development constraints.
4. No Municipal reserves are owing.

And further, in accordance with Sections 654 and 655 of the *Municipal Government Act*, the Town of Stettler Council approves Application 2006-06 subject to the following conditions:

1. Subdivisions to be effected by a plan of Survey, pursuant to Section 657 of the *Municipal Government Act*.

2. That the developer enters into a development agreement with respect to the provisions under Section 655 of the *Municipal Government Act* with and to the satisfaction of the Town of Stettler including:
 - a) Construction or payment for the construction of public roadways to give access to the development.
 - b) Installation of payment for installation of utilities required to serve the development including water and sanitary according to the Town of Stettler Water Works Bylaw.
 - c) Construction or payment for the construction of off-street or other parking facilities, and loading and unloading facilities.
 - d) Construction or payment for the construction of pedestrian walkway systems.
3. That any outstanding property taxes on the land being subdivided are paid or satisfactory arrangements made thereto the Town of Stettler.
4. That an access easement is agreed upon with 983329 Alberta Ltd. (Property owners of Lots 1 & 2, Block 3, Plan 3175 T.R.) in order to accommodate Alberta Treasury Branch (Developer's) customers.

MOTION CARRIED
Unanimous

(e) Memo re: Industrial Lot Pricing

Town Manager, R. Stoutenberg explained that the new NE Industrial Subdivision contains 12 lots of which 11 are fully developable for industrial purposes. The remaining lot occupies 2.52 ha and is slated to house a winter snow dump and storm water retention pond.

Town Manager, R. Stoutenberg reviewed the comprehensive list of costs/estimates used in the determination of lot prices for the lands contained in the new NE Industrial Subdivision. These costs include the following:

- Boulder Construction	\$644,236
- Contingency	30,000
- Atco (Power and Street Lighting)	36,000
- Alta Gas Service Charge	0.00
- Subdivision and Legal	10,000
- Engineering	55,000
- Geo and Testing	10,000
- Estimated Value of Existing Infrastructure	10,000
- Land Value	271,420
- Seeding	10,000
Sub-total	\$1,076,656
- Holding Cost / Markup of 35%	376,830
TOTAL	\$1,453,486

The developable 11 lots total 6.793 ha (16.78 acres). Given the development cost of \$1,453,486, the sale price would be \$86,620 per acre.

Staff examined alternatives to reduce the lot price per acre: these included reducing the markup; reducing the land value (for replacement); and creation of an additional parcel within the subdivision.

The Staff's recommendation eliminated the first two alternatives for the following reasons:

1. reducing the holding costs/markup would set a precedent within the community; and
2. reducing the land value would negatively affect reserves for future development.

Staff recommends the further subdivision of an additional parcel, which would create a new 0.65 ha (1.61 acre) lot adjacent to the snow dump site (portion which has been determined to not be required by the staff). This would enable the lot prices to be reduced to \$79,037 per acre or \$76,872 per acre should the contingency allowance not be used.

Discussion ensued regarding comparisons with the other nearby municipalities surveyed and the expectation of demand versus the proposed prices.

Discussion continued regarding whether the land value replacement estimate and/or the holding cost/markup should be reduced to effectively lower the price per acre.

Motion 06:08:19

Moved by Councillor Majeran that the Town of Stettler Council establish the following prices for lands within the NE Industrial Subdivision.

- \$79,037 per acre; and reduced to
- \$76,872 per acre, dependent upon use of contingency funds during development.

And that staff be directed to prepare a road closure and subdivision to create an additional +/- 0.65 ha (1.61 acre) subdivision on Lot 3 to reflect this pricing.

MOTION CARRIED (5 – 1)
Opposed: Councillor Peeples

Mayor Hunter recessed the meeting at 7:25 p.m.

Mayor Hunter reconvened the meeting at 7:30 p.m.

5. **Delegations:**
- (a) 7:30 P.M. – Dave Dittrick, Zap Municipal Consulting Inc re: Transitional Zoning Study for the C1-A Land Use District

D. Dittrick, Zap Municipal Consulting Inc. and Development Officer, W. Holowachuk entered the meeting at 7:30 p.m.

D. Dittrick outlined that the purpose of the study is to draft proposed zoning changes and design guidelines for the development and re-development of the properties in the Town's Transitional Central Commercial District (adjacent/northeast side of the downtown (C1) core).

D. Dittrick reviewed the results/feedback obtained from consultation within affected public/property owners.

D. Dittrick presented his report which proposes amendments to the Land Use Bylaw for this District including: a General Purpose Statement, Permitted Uses, Discretionary Uses, Design Guidelines and Building Design.

Discussion ensued respecting further clarification of various recommendations and elements included in the presentation.

Mayor Hunter, with the mutual consent of Council, informed D. Dittrick that consideration of this item will be referred to the September 5, 2006 Council Meeting for further discussion/debate. This delay will afford Council members more time to review the recommendations included in the study to better understand possible long-term impacts and ramifications for the community.

Mayor Hunter thanked D. Dittrick and W. Holowachuk for attending the Council Meeting.

D. Dittrick and W. Holowachuk departed the meeting at 8:00 p.m.

(f) Request for Decision re: Development Permit #2098-2006

Town Manager, R. Stoutenberg advised that the applicant (1139817 Alberta Ltd) is proposing to construct a two storey residential row housing development, inclusive of one individual structure, containing four units to be placed on parcels that are a minimum of 20' by 100' in a DC1 – Direct Control 1 District (in Emmerson) on Lots 60 – 63, Block 3, Plan 792 1544.

This project is the second of five buildings to be constructed as part of this residential development. Staff has been working the developer and his landscape architect to ensure the development meets the requirements of the Direct Control 1 District.

Brief discussion ensued regarding the need/demand for alternative housing options in the community.

Motion 06:08:20

Moved by Councilor Peeples that Development Application 2098-2006 from 1139817 Alberta Ltd. to construct a two storey residential row housing development in a DC1 – Direct Control 1 District be approved as per tentative plan subject to the following conditions.

1. That the proposed development is accepted as a Permitted Use under current Land Use Zoning DC1 – Direct Control 1 District.
2. The applicant must comply with all provisions of the Town of Stettler Land Use Bylaw 1797-98.
3. That development approval is for the second phase of the project, constituting a single fourplex.
4. The proposed development (fourplex) shall be located in accordance of the approved plan.

5. Compliance with provisions of the Land Use Bylaw 1797-98 does not exempt the applicant from compliance with any provincial, federal or other municipal legislation.
6. The landscaping plan is to be submitted and approved by the Development Officer.
7. The applicant is responsible for ensuring all development is outside of active utility right-of-ways.
8. The developer is responsible for making suitable arrangements with the utility companies for provision of services and/or necessary easements.

(g) Accounts Payable in the amount of \$660,100.74

Motion 06:08:21

Moved by Councillor Campbell that Accounts Payable for the period ending August 10, 2006 in the amount of \$660,100.74 having been paid, be accepted as presented.

MOTION CARRIED
Unanimous

7. **Council:**

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Hunter

-No meetings to report.

(b) Councillor Campbell

-August 3 - Municipal Planning Commission Meeting.

-August 4 - Deputy Mayor duties re: cheque signing.

-August 9 - Meeting with Dave Dittrick re: MPC.

-August 11 - Deputy Mayor duties re: cheque signing.

(c) Councillor Hurley

-June 21 - Waste Management Meeting.

(d) Councillor Majeran

-No meetings to report.

(e) Councillor Peebles

-August 3 - Municipal Planning Commission Meeting.

-August 9 - East Central Alberta Regional Water Committee Meeting in Castor.

(f) Councillor Richards

-August 3 - Municipal Planning Commission Meeting.

-August 8 - Tour of Emmerson Acres.

-August 15- Waste Management Meeting re: cheque signing.

(g) Councillor Thorogood

-No report – absent from meeting.

8. **Minutes:**

(a) Municipal Planning Commission Meeting of August 3, 2006

Councillor Peoples identified corrections required to the minutes respecting member voting. These corrections will not affect any decisions made at the MPC.

Town Manager, R. Stoutenberg informed Council that these minutes are presented to Council for informational purposes only and that they will be appropriately corrected as noted.

(b) East Central Alberta Regional Water Commission Meeting of August 9, 2006

Motion 06:08:22

Moved by Councillor Richards that the Minutes, items 8(a) & 8(b) be accepted for information.

MOTION CARRIED
Unanimous

9. **Public Hearing:**

(a) None

10. **Bylaws:**

(a) None

11. **Correspondence:**

(a) Red Deer River Municipal Users Group Newsletter

(b) Article re: "How to Make Your Community Fail (and how not to)"

Motion 06:08:23

Moved by Councillor Majeran that correspondence items 11(a) & 11(b) 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 06:08:24

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

MOTION CARRIED
Unanimous at 8:20 p.m.

Mayor

Director of Finance & Administration