

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL  
HELD ON TUESDAY, JULY 18, 2006 IN THE MUNICIPAL OFFICE,  
COUNCIL CHAMBERS**

**Present:**

Mayor J. Hunter

Councillors, G. Majeran, R. Peeples, D. Richards  
L. Thorogood & A. Campbell

Director of Finance & Administration G. Switenky  
Development Officer W. Holowachuk  
Administrative Assistant S. Mayer

Press (2)

**Absent:**

Councillor S. Hurley & Town Manager R. Stoutenberg

**Call to Order:**

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

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

**Motion 06:07:12**

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

12(a) 44<sup>th</sup> Avenue access to Stettler Recreation Centre

MOTION CARRIED  
Unanimous

3. **Confirmation of Minutes:**

(a) Minutes of the Regular Meeting of Council held July 4, 2006

**Motion 06:07:13**

Moved by Councillor Richards that the Minutes of the Regular Meeting of Council held on July 4, 2006 be approved as presented.

MOTION CARRIED  
Unanimous

(b) Business Arising from the July 4, 2006 Minutes

Correspondence item 11(a) Water Use in the Red Deer River Basin – Mayor Hunter updated Council Members that upon further review with Administration, he determined that it would not be appropriate to provide a letter of support given the local circumstances.

4. **Citizen's Forum:**

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

5. **Delegations:**

(a) None

6. **Administration:**

(a) Request to meet with the RCMP

Prior to scheduling a meeting at the 2006 AUMA Convention with RCMP senior command representatives, it was decided to contact Sgt. Kevin Picard of the Stettler Detachment in the later part of August to see if there were any issues which should be addressed/communicated while at the convention.

(b) Animal Control Contract

Director of Finance & Administration, G. Switenky reviewed a memo from Town Manager R. Stoutenberg regarding a proposed agreement with Alberta Animal Services (AAS) who presently provide the Town with Animal Control and Bylaw Enforcement Services.

Councillor A. Campbell entered the meeting.

The existing contract is for a one-year term and is nearing expiry. Alberta Animal Services is requesting a new combined contract with a four-year term, which would allow AAS to provide a longer term commitment to their staff. The Town benefits greatly from staff continuity in the performance of these types of duties.

The new contract will include 24 hours of Animal Control Services per month at a rate of \$1,200 (\$50.00/hr) and 56 hours of Bylaw Enforcement Services per month at a rate of \$2,800 (\$50.00/hr) with no increase over the term. The previous contract was charged out at \$55.00/hr for the same number of hours.

A new combined contract (80 hours/month) will afford the Contractor greater flexibility/frequency on a weekly basis to simultaneously provide both services. This should reduce costs related to special patrols/call-outs.

Discussion ensued regarding the length of the extension (four-years), the benefits of retaining Alberta Animal Services, Notice of Termination based on default in performance (by either party) and the necessity to revise the language of the Contract to include cats.

**Motion 06:07:14**

Moved by Councillor Richards that the Town of Stettler Council enter into a four year Animal Control/Bylaw Enforcement Services Contract with Alberta Animal Services with terms as substantively presented subject to cat control being included in the Agreement.

MOTION CARRIED  
Unanimous

(c) Request for Decision – Subdivision Application 2006-01

Development Officer, W. Holowachuk entered the meeting at 6:50 p.m.

Mayor J. Hunter advised that the applicant (Town of Stettler) is proposing to create 20 parcels to accommodate a future row house development on Lots 6-23, Block 3, Plan 792 1544.

Development Officer W. Holowachuk noted that the lots have been resized to be smaller than the original 1979 Plan in order to accommodate a residential project proposed by a developer.

Council noted the receipt of a comment/opposition from an adjacent property owner Kathleen Hutchinson as included in the Subdivision Report. No further comments have been received for or against the proposed subdivision.

Development Officer W. Holowachuk pointed out that the Road Closure Bylaw 1934-06 before Council later in this meeting is necessary to complete this subdivision.

**Motion 06:07:15**

Moved by Councilor Peeples that Subdivision Application 2006-01 from the Town of Stettler to create twenty (20) parcels on Lots 6-23, Block 3, Plan 792 1544 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 2006-01 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 policies of the Municipal Development Plan.
3. The application is consistent with the policies of the Northwest Area Structure Plan.
4. That 20 lots be created in accordance with the Subdivision Plan submitted the Town of Stettler.
5. That the developer prepare the following to the satisfaction of the Town of Stettler:
  - Site Plan, showing building orientation, scale, structures and open space
  - Architectural treatment of buildings
  - Provision and architecture of landscaped open space; and
  - Parking layout.
6. Buildings shall be of new construction only.
7. Parking will be prohibited in the front yard. Rear parking stalls adjacent the laneway will be pavement and/or gravel.
8. Landscaping must be of high quality, incorporating mature plantings. Perimeter of site must be landscaped including all adjoining road boulevard areas surrounding the site.
9. The developer is responsible for making suitable arrangements with utility companies for provisions of services and/or necessary easements.

MOTION CARRIED  
Unanimous

(d) Request for Decision – Subdivision Application 2005-15

Director of Finance & Administration, G. Switenky advised that the applicant (Don Fix) is proposing to create two parcels on Lot 12, Block 2, Plan 842 0666. He highlighted that this single property presently has split zoning; with the north half zoned Urban Reserve (UR) and the south half zoned Industrial (I). The proposed subdivision will be contiguous with the zoning split.

There are existing structures currently located within each of the proposed parcel boundaries.

**Motion 06:07:16**

Moved by Councilor Majeran that Subdivision Application 2005-15 from Don Fix to create two parcels on Lot 12, Block 2, Plan 842 0666 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 2005-15 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 owing.

And further, in accordance with Sections 654 and 655 of the Municipal Government Act, the Town of Stettler Council approves Application 2005-15 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.
3. That the developer supplies an individual water and sanitary service to each parcel created, in accordance with the Town Of Stettler Water Works Bylaw.
4. That any outstanding property taxes on the land being subdivided are paid or satisfactory arrangements made thereto the Town Of Stettler.

MOTION CARRIED  
Unanimous

(e) Request for Decision – Development Permit Application  
2084-2006

Director of Finance & Administration, G. Switenky advised that the applicant (113987 Alberta Ltd.) is proposing to construct a two storey residential row housing building, containing four individual units to be placed on parcels that are a minimum of 20' by 100' in a DC1 – Direct Control 1 District on Lots 13-15, Block 3, Plan 792 1544.

The existing (1979) Lots are presently in the process of being consolidated and the subdivision required to create the new lots was approved earlier at this meeting (resizing to correspond with the proposed residential development).

Development Officer W. Holowachuk advised that this application is to construct the first of five fourplexes and that an appropriate landscaping plan needs to be submitted by the Developer for final approval to complete the requirements of the Direct Control Bylaw.

**Motion 06:07:17**

Moved by Councilor Thorogood that Development Permit Application 2084-2006 from 113987 Alberta Ltd. to construct a two storey residential row housing development, containing four units to be placed on parcels in a DC1 – Direct Control 1 District on Lots 13-15, Block 3, Plan 792 1544 be approved subject to the following conditions:

1. That the proposed development is accepted as a Permitted Use under current land use zoning: DC1 – Direct Control District No. 1.
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 first phase of the project, constituting a single fourplex.
4. The proposed development (fourplex) shall be located in accordance with the approved plan.
5. Compliance with the provisions of Land use Bylaw 1797-98 does not exempt the applicant from compliance with any provincial, federal or other municipal legislation.
6. The applicant shall arrange for and obtain approval from the Municipal Fire Department to confirm compliance with the 1997 Provincial Fire Code.
7. The landscaping plan is to be submitted to and approved by the Development Officer.
8. The applicant is responsible for ensuring all development is outside of active utility right-of-ways.

9. The developer is responsible for making suitable arrangements with utility companies for provisions of services and/or necessary easements.

MOTION CARRIED  
Unanimous

Mayor Hunter with the mutual consent of Council varied the order of the Agenda to consider Bylaws while the Development Officer, W. Holowachuk is in attendance.

10. **Bylaws:**

- (a) Bylaw 1933-06 – Rezone, Block A, Plan 5834NY from C-2 (Highway Commercial) to DCT-1 (Direct Control Transitional District)

Mayor Hunter declared a possible conflict of interest and by departing the Council Chambers excused himself from voting and discussion on this item.

Deputy Mayor Councillor Peeples assumed the Chair.

Development Officer W. Holowachuk reviewed his memo outlining the applicant's (Craig Puetz of Proventure Income Fund) development proposal for a 5 bay large truck storage, maintenance and office facility which would be located on Block A, Plan 5834NY (Top Notch site).

As the proposed development is not considered to be either a permitted or discretionary use in a Highway Commercial District, Mr. Peutz submitted a request to rezone the property from its present zoning of Highway Commercial to Industrial. This matter was presented to the Stettler Municipal Planning Commission on July 12<sup>th</sup>, 2006. After discussing a variety of concerns MCP recommended to Town Council that the property be rezoned to (DCT1) Direct Control Transitional District.

Development Officer W. Holowachuk informed Council that he has met with Mr. Peutz and discussed other sites situated in industrially zoned districts where his development would be allowed. Mr. Peutz is not interested in any other sites as he desires highway exposure.

Discussion ensued regarding the history of the existing development on Block A, Plan 5834NY. It was noted that when development first took place for the existing business (Top Notch) it was considered to be of a commercial nature. However, through expansion, the business use as it is today could be considered Industrial, however has not created any complaints.

Discussion continued regarding alternative zoning options, the potential for the future expansion of the proposed business and whether Council has the ability to control any future expansion, increased traffic access/egress from the site & AB Transportation, annoyances such as increased noise & pollution from diesel equipment and the potential ramifications which would affect the use and enjoyment of adjacent residential properties to the south (from the type of business that the applicant wishes to develop).

**Motion 06:07:18**

Moved by Councillor Richards that the Town of Stettler Council give first reading to Bylaw 1933-06.

MOTION CARRIED (3 – 2)  
Opposed: Councillors Peeples & Majeran

Mayor Hunter resumed the Chair.

(b) Bylaw 1934-06 – Road Closure – Emerson Walkway within Block 3, Plan 792 1544

Director of Finance & Administration, G. Switenky advised that in order for future phases of the row housing development in Emerson to continue the walkway needs to be eliminated via a road closure. This walkway has never been developed and only appears on the 1979 Plan.

Discussion ensued regarding whether this walkway as dedicated in its present location provides any needed connectivity for recreational purpose (given the redesign of the entire Emerson Subdivision).

**Motion 06:07:19**

Moved by Councillor Thorogood that the Town of Stettler Council give first reading to Bylaw 1934-06.

MOTION CARRIED  
Unanimous

Mayor Hunter thanked Development Officer, W. Holowachuk for attending the Council Meeting.

Development Officer, W. Holowachuk left the meeting at 7:40 p.m.

(f) Update re: Leisure Centre

Director of Finance & Administration, G. Switenky updated Town Council on the progress of the Leisure Centre. Presently mechanical systems are being tested (start-up) and numerous minor touch-ups are required. Staff training/in-servicing is ongoing.

A site meeting with the Architect (Barr Ryder) and General Contractor (Pentagon) will take place on Wednesday July 19<sup>th</sup>, 2006. Outstanding items will be identified and quantified to determine whether the facility can be considered for final completion and accepted by the Town.

If accepted for final completion then the pool could be open by August 1<sup>st</sup>, 2006. If the list is significant then the Contractor will be given an additional week(s) to complete the items identified and the opening will have to be correspondingly delayed.

The Fitness Center flooring has to be completely removed/ replaced and subsequently this part of the facility will not be able to open until late September (because new tiles have to be manufactured).

Also, paving in the parking lot has to be completed however this will not hold up the facility being open to the public.

(g) Statement of Revenue & Expenses as of June 30, 2006

**Motion 06:07:20**

Moved by Councillor Majeran that the Statement of Revenue & Expenses as of June 30, 2006 be accepted as presented.

MOTION CARRIED  
Unanimous

(h) Statement of Capital Activity as of June 30, 2006

**Motion 06:07:21**

Moved by Councillor Campbell that the Statement of Capital Activity as of June 30, 2006 be accepted as presented.

MOTION CARRIED  
Unanimous

(i) Bank Reconciliation as of June 30, 2006

**Motion 06:07:22**

Moved by Councillor Peeples that the Bank Reconciliation as of June 30, 2006 be accepted as presented.

MOTION CARRIED  
Unanimous

(j) Accounts Payable in the amount of \$306,204.75

**Motion 06:07:23**

Moved by Councillor Thorogood that Accounts Payable for the period ending July 12, 2006 in the amount of \$306,204.75 having been paid, be accepted as presented.

MOTION CARRIED  
Unanimous

7. **Council:**

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Hunter

-July 5 - Meeting with architects re: Building Design.

-July 7 - Town Office duties.

-July 13 - CAEP Luncheon.

-July 14 - Town Office duties.

(b) Councillor Campbell

-July 12 - Municipal Planning Commission Meeting.

(c) Councillor Hurley

-No report – absent from meeting.



(d) Councillor Majeran

-July 12 - Municipal Planning Commission Meeting.

(e) Councillor Peeples

-July 12 - Municipal Planning Commission Meeting.

-July 17 - Stettler Town & Country Museum Meeting.

(f) Councillor Richards

-July 5 - Meeting with architects re: Building Design.

-July 12 - Municipal Planning Commission Meeting.

(g) Councillor Thorogood

-July 11 - Ambulance Ride-A-Long.

-July 12 - Municipal Planning Commission Meeting.

-July 13 - Brought greetings on behalf of the Mayor at the CAEP Workshop.

8. **Minutes:**

(a) Parkland Regional Library Board – May 25, 2006

(b) Municipal Planning Commission – July 12, 2006

**Motion 06:07:24**

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

MOTION CARRIED  
Unanimous

9. **Public Hearing:**

(a) 8:00 P.M. - Bylaw 1932-06 re: Rezone, Lot 6, Block 52, Plan 2442AE

Mayor Hunter declared the Public Hearing for Bylaw 1932-06 open at 8:11 p.m.

Present:

Mayor J. Hunter  
Councillors A. Campbell, G. Majeran, R. Peeples  
D. Richards & L. Thorogood  
Director of Finance & Administration G. Switenky  
Development Officer W. Holowachuk  
Administrative Assistant S. Mayer  
Press (2)

Mayor Hunter explained the purpose of the Public Hearing and noted that there were no members of the public present.

Director of Finance & Administration, G. Switenky informed Council that no written or verbal submissions have been received for or against Bylaw 1932-06.

There were no other representations heard or made.

Mayor Hunter declared the Public Hearing for Bylaw 1932-06 closed at 8:13 p.m.

Mayor Hunter reconvened the regular Council Meeting at 8:13 p.m.

**Motion 06:07:25**

Moved by Councillor Thorogood that the Town of Stettler Council give second reading to Bylaw 1932-06.

MOTION CARRIED  
Unanimous

**Motion 06:07:26**

Moved by Councillor Peeples that the Town of Stettler Council give third and final reading to Bylaw 1932-06.

MOTION CARRIED  
Unanimous

10. **Bylaws:**

(a) Bylaw 1933-06 – Rezone, Block A, Plan 5834NY from C-2 (Highway Commercial to DCT-1 (Direct Control Transitional District

(b) Bylaw 1934-06 – Road Closure – Emerson Walkway within Block 3, Plan 792 1544

These Bylaws were dealt with earlier in the meeting.

11. **Correspondence:**

(a) Alberta Municipal Services Corp. re: Participation Cheque

(b) Article from the Pincher Creek Echo re: Recreation Agreement

**Motion 06:07:27**

Moved by Councillor Thorogood that correspondence items 11(a) & 11(b) be accepted for information.

MOTION CARRIED  
Unanimous

12. **Items Added:**

(a) 44<sup>th</sup> Avenue access to Stettler Recreation Centre

Discussion ensued regarding concerns over the design of the 44<sup>th</sup> Avenue access into the arena, the median and the recently installed landscaping treatments.

Mayor Hunter will discuss this issue further with Administration upon the return of the Town Manager.

13. **In-Camera Session:**

(a) Offer to Purchase Land in Emerson Acres

**Motion 06:07:28**

Moved by Councillor Campbell that the Town of Stettler Council proceed into an In-Camera Session with the Director of Finance & Administration present to discuss the item as presented on the In-Camera Agenda.

MOTION CARRIED  
Unanimous at 8:20 p.m.

**Motion 06:07:29**

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

MOTION CARRIED  
Unanimous at 8:40 p.m.

Offer to Purchase Land in Emmerson Acres

Director of Finance & Administration, G. Switenky explained that the Town has received an Offer to Purchase a portion of the proposed apartment building site in Emmerson Acres. The purchaser is proposing to construct a three story 26-unit apartment building and requires approximately ±.80 acres for the residential complex including a paved parking lot.

A large part of the remaining area in Emmerson Acres is in process of being subdivided and serviced and the Town will be responsible to complete both. The property is zoned R2 which is appropriate for an apartment style development.

Discussion ensued regarding the determination of a fair market value and the need for alternative residential accommodation in Stettler.

**Motion 06:07:30**

Moved by Councillor Majeran that the Town of Stettler Council approve the sale of a portion of the proposed Emmerson Acres Apartment Building Site; being an area approximately 60m by 54m (±.80 acre) to Robin's Nest Developments Inc. for \$180,000 (net to the Town) subject to the purchaser being responsible for all real estate (Realtor) commissions, and subject to the general conditions imposed by the Town's standard Land Purchase Agreement.

MOTION CARRIED  
Unanimous

14. **Adjournment:**

**Motion 06:07:31**

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

MOTION CARRIED  
Unanimous at 8:42 p.m.

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Mayor

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Director of Finance & Administration