

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL  
HELD ON TUESDAY, JUNE 20, 2006 IN THE MUNICIPAL OFFICE,  
COUNCIL CHAMBERS**

**Present:** Mayor J. Hunter  
  
Councillors A. Campbell, S. Hurley, G. Majeran, R. Peeples &  
L. Thorogood  
  
Town Manager R. Stoutenberg  
Director of Finance & Administration G. Switenky  
  
Press (2)

**Absent:** Councillor D. Richards

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

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

**Motion 06:06:21** Moved by Councillor Hurley to approve the agenda as presented with the following additions:

- 10(a) Bylaw 1932-06 re: Amend Land Use Bylaw 1797-98
- 12(a) Subdivision Report re: 5256292 MB Ltd.
- 12(b) Development Permit Report re: Wells Furniture
- 12(c) Demolition Tax Refunds
- 12(d) Pick-up of Grass Clippings for Seniors

MOTION CARRIED  
Unanimous

3. **Confirmation of Minutes:**

- (a) Minutes of the Regular Meeting of Council held June 6, 2006

**Motion 06:06:22**

Moved by Councillor Majeran that the Minutes of the Regular Meeting of Council held on June 6, 2006 be approved as presented.

MOTION CARRIED  
Unanimous

- (b) Business Arising from the June 6, 2006 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: Alberta Permit Pro Contract

Town Manager, R. Stoutenberg explained that this revised Agreement with Alberta Permit Pro is much more comprehensive and provides improved wording in many areas including the term, liability insurance, contractor responsibilities, etc. This new Agreement will replace the simple one page (existing) Agreement. The term is for one year and can be extended by mutual consent.

Discussion ensued regarding whether Town staff can perform any Building Compliance inspections. Town Manager R. Stoutenberg responded that existing staff are not currently qualified/accredited to conduct inspections related to compliance with the *Safety Codes Act* in any discipline.

Discussion continued regarding The Engagement Exclusivity (Term 1), The Services (Term 2), Insurance (Term 5.1), Term of Agreement (Term 8), Deficiencies (Term 13), Termination (Term 14) and Fees (Schedule A).

**Motion 06:06:23**

Moved by Councillor Majeran that the Town of Stettler Council authorize the execution of the proposed Town of Stettler and Alberta Permit Pro Inc. Agreement as presented.

MOTION CARRIED  
Unanimous

(b) Demolition Tax Refunds

Director of Finance & Administration, G. Switenky circulated a confidential memo informing Council of the property owner's name. This information is considered personal and should not be released under the *Freedom of Information and Protection of Privacy Act (FOIP)*.

**Motion 06:06:24**

Moved by Councilor Peeples that the Town of Stettler Council approve a pro-rated property tax refund for Tax Roll #510900009 in the amount of \$199.70 as per Section 347 of the *Municipal Government Act*.

MOTION CARRIED  
Unanimous

(c) Planning & Development Subdivision Report 2006-04

Town Manager, R. Stoutenberg advised that the applicant (Echo Ridge Homes) is proposing to create two small lots for a duplex on Lot 10, Block 5, Plan LIV (RN54). The proposed subdivision is located at the corner of 49 Avenue and 48 Street within a mature residential neighborhood and will serve as an infill development. There are a number of similar duplexes in the surrounding neighborhood and duplexes are a permitted use in R2 zoned districts, according to Land Use Bylaw 1797-98.

It was stated that the proposed duplex will be compatible within this neighborhood.

**Motion 06:06:25**

Moved by Councilor Thorogood that Subdivision Application 2006-04 from Echo Ridge Homes to create two lots for a duplex on Lot 10, Block 5, Plan LIV (RN54) 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 2006-02 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 2006-04 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

- (d) Input Request by June 30, 2006 re: Annual Appraisals – Greg Switenky, John Keith & Lee Penner

Town Manager, R. Stoutenberg requested Council's input on the annual appraisals of the Director of Finance & Administration, G. Switenky, the Director of Operational Services, J. Keith and the Director of Parks & Leisure Services, L. Penner by June 30, 2006. It was mutually decided to further discuss these (3) Senior Managers appraisals later during the In Camera session.

- (e) Discussion re: Ag. Society Request to Donate Rotary Campground Kitchen Site – Referral from May 2<sup>nd</sup>, 2006

Town Manager, R. Stoutenberg noted that the Ag. Society has requested (May 2<sup>nd</sup>, 2006) the Town to donate (or sale for a nominal fee) lands encompassing the northern portion of the Rotary Park Campground (camp kitchen area) to the Society.

Earlier in 2006, the Town engaged Community Development Consultants (CDC) to prepare a Parks and Public Spaces Master Plan to quantify and assess community parkland needs in order to help guide future Council decisions.

At the May 2, 2006 Council Meeting Administration reviewed technical/land use implications with Council and a decision on the Ag. Society's request was delayed to allow CDC time to consider and make an informed recommendation to Council.

CDC's recommendation is that the Town should purchase the land on which the Rotary Campground is currently situated. They qualified their recommendation by stating that "Council should be aware that while the data gathered to date illustrates strong support for this recommendation, it was developed in isolation from a full compliment of recommendations, and it has not been vetted through a public forum."

Discussion ensued regarding the current need for campsites in Stettler and the Ag Society's intention to sell the entire Rotary Campground site as the first action in pursuing their plan of relocating their facilities to the County.

It was stated that the Ag Society's expectation is \$100,000 per acre. The ultimate fair market value of the property will be dependent on the eventual use of the property.

Discussion continued regarding various opinions as to whether a large park is needed at this location.

Town Manager R. Stoutenberg expressed the need for further developmental site planning/conceptual layout design in order to be able to appropriately consider alternative uses for the west end of the property in relation to the entire Ag Society property. Site planning will assist the Ag Society in maximizing the value of the site. The Town of Stettler will provide input in their process.

**Motion 06:06:26**

Moved by Councillor Majeran that the Town of Stettler Council retain the northern portion of Rotary Park and deny the request from the Stettler District Agricultural Society to donate/sell for a nominal fee this land to them.

MOTION CARRIED (5 – 1)

Opposed: Councillor Hurley

It was further discussed that Administration should continue a dialog with the Ag Society to evaluate options and opportunities respecting the future use of the Rotary Campground property.

- (f) July Newsletter Items
  - Water Smart Program
  - Committee Meetings Cancelled for July/August
  - Message from Fire Department re: BBQ Safety
  - Shooting Star Hockey School – August 13-18
  - Water Spray Park Open Daily 10:00 a.m. – 8:00 p.m.
  - Suggestions for getting grass clippings to the Compost bins.
  - July 21<sup>st</sup> Premiers Golf Tournament at Pheasantback
  - July 20 – RCMP Musical Ride.

- (g) Update re: Leisure Centre

Town Manager, R. Stoutenberg informed Council that the Leisure Centre is nearing completion with an opening date of mid to late July and a Grand Opening anticipated in September 2006.

Discussion ensued regarding the practicality of the design of the directional median at the entrance from 44<sup>th</sup> Avenue. Administration will review alternative options within the constraints of budget.

Town Manager, R. Stoutenberg informed Council that the final cost of the project verses the budget will be tight.

(h) Bank Reconciliation as of May 31, 2006

**Motion 06:06:27**

Moved by Councillor Peeples that the Bank Reconciliation as of May 31, 2006 be accepted as presented.

MOTION CARRIED  
Unanimous

(i) Accounts Payable in the amount of \$489,958.59

**Motion 06:06:28**

Moved by Councillor Hurley that Accounts Payable for the period ending June 15, 2006 in the amount of \$489,958.59 having been paid, be accepted as presented.

MOTION CARRIED  
Unanimous

7. **Council:**

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Hunter

- June 5 - Heart Haven Seniors Week Lunch.
- June 7 - Tim Horton's Camp Day.
- June 9 - Town Office duties.
- June 16 - Town Office duties.
- June 18 - Presentation of 30 year service for Dr. Charles Heaven.
- June 19 - Town of Blackfalds.
- June 20 - Interview with Channel 4 TV re: Pool.

(b) Councillor Campbell

- June 5 - Presented fruit tray for Seniors Week to the Senior Centre.
- June 7 - Stettler Hospital Foundation Meeting.
- June 9 - Airport Board Meeting.
- June 16 - Municipal Planning Commission Meeting.

(c) Councillor Hurley

- June 8 - Paragon Place Senior dinner.
- June 18 - 30 yr. service for Dr. Charles Heaven.
- June 19 - FCSS Meeting.

(d) Councillor Majeran

- June 5 - Paragon Place for Seniors Week.

(e) Councillor Peeples

- June 9 - Red Deer River Watershed Alliance Meeting in Innisfail.
- June 10 - Represented Council at the Atco luncheon in Drumheller.
- June 16 - Municipal Planning Commission Meeting.

(f) Councillor Richards

-No report – absent from meeting.

(g) Councillor Thorogood

- June 7 - Board of Trade Meeting.
- June 16 - Municipal Planning Commission Meeting & meeting with Town Manager and Councillor Richards re: SDAA bylaws.
- June 19 - Ambulance Board Meeting.
- June 20 - Hospital Staff appreciation.

8. **Minutes:**

- (a) East Central Alberta Regional Water Commission Meeting of June 1, 2006
- (b) Heartland Beautification Meeting of June 1, 2006
- (c) Town & County Airport Board Meeting of June 9, 2006

**Motion 06:06:29**

Moved by Councillor Campbell that the Minutes, items 8(a) to 8(c) inclusive be accepted for information.

MOTION CARRIED  
Unanimous

9. **Public Hearing:**

- (a) None

10. **Bylaws:**

- (a) Bylaw 1932-06 re: Amend Land Use Bylaw 1797-98

Town Manager, R. Stoutenberg informed Council that the Municipal Planning Commission has reviewed and supports the re-designation of Lot 6, Block 52, Plan 2442AE from "UR" Urban Reserve to "I" Industrial.

The applicant proposes to construct a storage unit which is permitted as a discretionary use in an Industrial District according to the provisions of the Land Use Bylaw 1797-98.

It was stated that an Industrial designation is consistent with the long-term intent for this area and is consistent with surrounding uses.

**Motion 06:06:30**

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

MOTION CARRIED  
Unanimous

11. **Correspondence:** (a) Stettler Town & County Summer Games Society  
(b) Pincher Creek Echo

**Motion 06:06:31**

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

MOTION CARRIED  
Unanimous

12. **Items Added:** (a) Subdivision Report re: 5256292 MB Ltd.

Town Manager, R. Stoutenberg explained that the Subdivision Application from 5256292 MB Ltd. is to create four parcels on Lots 1 – 4, Block 10, Plan LIVA. The property is located at the corner of 53 Street and Highway 56 within a mature residential neighborhood and will serve as an infill development for this vacant lot. Two parcels will be 8.41m X 31.70m and two parcels will be 11.46 X 31.70m. The lands are currently zoned R-2 General Residential under the Land Use Bylaw 1797-98.

**Motion 06:06:32**

Moved by Councillor Thorogood that Subdivision Application from 5256292 MB Ltd. to create four parcels on Lots 1 – 4, Block 10, Plan LIVA has been evaluated in terms of Section 654 of the *Municipal Government Act* (MGA) and Section 7 of the *Subdivision and Development Regulations* and having considered adjacent landowner(s) submissions, the Town of Stettler Council approves the Subdivision Application from 5256292 MB Ltd. 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 application is approved 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

(b) Development Permit Report re: Wells Furniture

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

Deputy Mayor Councillor Peeples assumed the chair.

Town Manager, R. Stoutenberg explained that the application is for a Development Permit in a DCT-1 District under the direct control of Council.

Town Manager, R. Stoutenberg explained that the application is to construct a 5,000 sq. ft. warehouse on Lots 6-7, Block 48, Plan 2849H.W. which is consistent with similar uses in the immediate area. The area is a transitional zone between R2 – General Residential and Industrial.

**Motion 06:06:33**

Moved by Councillor Thorogood that Development Permit Application 2074-2006 from Wells Furniture to construct a 5,000 sq. ft. warehouse on Lots 6-7, Block 48, Plan 2849H.W. be approved subject to the following conditions:

1. The applicant must comply with all the provisions of the Town of Stettler Land Use Bylaw 1797-98.
2. 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.
3. The proposed development (warehouse storage) shall be located in accordance with the approved plan.
4. That the applicant complies with building size of 50 ft. X 100 ft. with 14 ft. walls, 3/12 pitched roof, colored metal walls and 12 ft. X 12 ft. overhead doors on east and west walls.
5. The applicant shall arrange for and obtain approval from the Municipal Fire Department to confirm compliance with the *1997 Alberta (Provincial) Fire Code*.
6. Confirmation of Alberta Environmental approval (if required).
7. The applicant is responsible for ensuring all development is outside active utility right of ways.
8. The developer is responsible for making suitable arrangements with the utility companies for provisions of services and/or necessary easements.

MOTION CARRIED  
Unanimous with the abstention  
of Mayor Hunter

Mayor Hunter resumed the chair.



(c) Demolition Tax Refunds

Director of Finance & Administration, G. Switenky circulated a confidential memo informing Council of the property owner's name. This information is considered personal and should not be released under the *Freedom of Information and Protection of Privacy Act (FOIP)*. The former structure encompassed two adjacent properties.

Discussion ensued regarding the unknown name(s) of the principals of the identified numbered company (owner), and therefore the potential for a conflict of interest to exist.

Mayor Hunter advised that individual Members of Council should only be concerned with the possibility of a conflict when they have knowledge of/or a reason to believe that a conflict of interest may exist.

Town Manager R. Stoutenberg stated that this is the standard refund policy available to all taxpayers.

**Motion 06:06:34**

Moved by Councilor Thorogood that the Town of Stettler Council approve a pro-rated property tax refund for Tax Roll #311100000 in the amount of \$136.77 as per Section 347 of the *Municipal Government Act*.

MOTION CARRIED  
Unanimous

**Motion 06:06:35**

Moved by Councilor Hurley that the Town of Stettler Council approve a pro-rated property tax refund for Tax Roll #313700000 in the amount of \$142.84 as per Section 347 of the *Municipal Government Act*.

MOTION CARRIED  
Unanimous

(d) Pick-up of Grass Clippings for Seniors at curbside

The Town's garbage collection contractor has been directed to not pick-up grass clippings at the curbside. This policy, as it relates to seniors was identified as a matter of concern for discussion.

Mayor Hunter concluded and directed Administration to bring this policy/background information forward to a future Council Meeting for review.

13. **In-Camera Session:** (a) Personnel Matter

**Motion 06:06:36**

Moved by Councillor Thorogood that the Town of Stettler Council proceed into an In-Camera Session with the Town Manager present to discuss In-Camera items.

MOTION CARRIED  
Unanimous at 8:05 p.m.

**Motion 06:06:37**

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

MOTION CARRIED  
Unanimous at 9:10 p.m.

14. **Adjournment:**

**Motion 06:06:38**

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

MOTION CARRIED  
Unanimous at 9:11 p.m.

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Mayor

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Director of Finance & Administration