

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL
HELD ON TUESDAY, FEBRUARY 17, 2009 IN THE MUNICIPAL OFFICE,
COUNCIL CHAMBERS**

Present: Mayor J. Hunter

Councillors A. Campbell, D. Dennis, D. Garbutt, D. Richards & L. Thorogood

Assistant CAO G. Switenky
Corporate Secretary C. Smith
Development Officer W. Holowachuk
GIS Tech G. Scott

Press (2)

Absent: Councillor R. Peeples & 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 09:02:19 Moved by Councillor Thorogood to approve the agenda with the following addition:

12(a) Sports Park Fundraising

MOTION CARRIED
Unanimous

3. **Confirmation of Minutes:**

(a) Minutes of the Regular Meeting of Council held February 3, 2009

Motion 09:02:20 Moved by Councillor Campbell that the Minutes of the Regular Meeting of Council held on February 3, 2009 be approved as presented.

MOTION CARRIED
Unanimous

(b) Business Arising from the February 3, 2009 Minutes

None

(c) Minutes of the Committee Meeting held February 10, 2009

Motion 09:02:21 Moved by Councillor Thorogood that the Minutes of the Committee Meeting of Council held on February 10, 2009 be approved as presented.

MOTION CARRIED
Unanimous

(d) Business Arising from the February 10, 2009 Committee Minutes

None

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

5. **Delegations:** (a) 7:30 P.M. re: Executive Director of Canadian Badlands, Cindy Amos & Keith Ryder, Executive Director of Regional Board of Trade

This item was dealt with later in the meeting.

6. **Administration:** (a) Committee Recommendations
(i) WTP Staffing

Motion 09:02:22

Moved by Councillor Garbutt that the Town of Stettler Council approve the Committee recommendation to establish a new position of Operations Supervisor at the Water Treatment Plant and further authorize the recruitment and hiring of a qualified applicant as soon as possible.

MOTION CARRIED
Unanimous

- (ii) Main Street Streetscape – Mid Block Crossing

Motion 09:02:23

Moved by Councillor Thorogood that the Town of Stettler Council approve the Committee recommendation that the mid-block pedestrian crossing on the north block of Main Street is to be constructed with extended bulb-outs only and no refuge island. And further that Administration is directed to differentiate the treatment of the walking surface between the bulb-outs subject to inclusion within the existing budget limits approved for the project.

MOTION CARRIED
Unanimous

- (iii) Sports Park Earth Moving

Motion 09:02:24

Moved by Councillor Richards that the Town of Stettler Council approve the Committee recommendation that the Town offer/request earth moving equipment services as an opportunity for the County of Stettler to contribute a gift-in-kind to the Sports Park.

MOTION CARRIED
Unanimous

It was noted that the County of Stettler has committed to donate their equipment and manpower for 1 week (7 days) as a contribution to the Sports Park.

- (b) Memo re: 2009 Paving Tender

Mayor Hunter reviewed the memorandum from Director of Operational Services, J. Keith regarding the 2009 Paving Tender.

It was noted that the 2009 paving program for the Town was split into two tender documents for logistical reasons. This is the first tender and it includes most of the 2009 street overlay program, all the new pathways as well as recoverable new subdivision paving.

Four tenders were received as follows:

Central City Asphalt Ltd.	\$694,807.65
Brooks Asphalt & Aggregate Ltd.	\$712,490.25
Metro Paving & Roadbuilding Ltd.	\$645,955.19
Border Paving Ltd.	\$586,129.00

Administration is recommending awarding the first 2009 Paving Tender to Border Paving Ltd.

The second tender (later) includes parking lots, downtown sidewalks and the overlay on 51st street.

Motion 09:02:25

Moved by Councillor Dennis that the Town of Stettler Council award the first 2009 Paving Tender to Border Paving Ltd. at a cost of \$586,129.00 (tax out).

MOTION CARRIED
Unanimous

(c) Memo re: Policy X-1 (b) re: Curbside/Lane Recycling Policy

Assistant CAO, G. Switenky advised that Policy X-1 (b) is to establish recycling guidelines and procedures relevant to the operation of a curbside/lane recycling collection program in the Town of Stettler, thereby reducing the amount of recyclable materials ultimately entering the joint regional landfill.

It was noted that Council will not be setting the monthly rate for the curbside/lane recycling services at this meeting. This rate will be reviewed and set at a future Council Meeting (as an amendment to the Town's Waste Control Bylaw).

Assistant CAO G. Switenky highlighted that the Recycling Policy states that participation in the curbside/lane recycling program is mandatory for all properties receiving municipal garbage collection in accordance with the Waste Control Bylaw; including single/duplex family dwellings, smaller multi-family residential complexes and some small businesses in the downtown core under unique circumstances.

Any property not eligible for municipal recycling pick-up under the Waste Control Bylaw has the option to contract directly with the private sector, and the policy clearly encourages non-residential/institutional and larger apartment style residential complexes to participate on their own.

Also that one recycling container will be provided to each eligible property and that replacement or additional containers can be purchased from the Town. It was noted that there are situations where replacement containers will be provided free of charge. Containers provided for free are to remain with the property and not with the owner.

It was mutually understood that this policy can be amended at a later date once the program has been operating for a while in order to accommodate any unforeseen matters and/or reconsiderations.

Discussion ensued regarding the color, size and number of recycling containers to be ordered, the slogan, "Keeping Stettler Clean and Green", the targeted launch month being April (subject to the delivery of the containers), educational materials and public notice. The option of using blue bags instead of hard open containers was briefly reviewed and is currently not an option because bags cannot be accommodated by the Town's Contractor.

Assistant CAO, G. Switenky advised that Can-Pak and Director of Parks & Leisure Services, L. Penner drafted a recycling information and tips notice as a guide for the public. This notice as well as a route schedule will be sent out in the monthly utility bills to all residential households in advance of the program being implemented.

Motion 09:02:26

Moved by Councillor Richards that the Town of Stettler Council approve Policy X-1(b) being the Curbside/Lane Recycling Policy as presented.

MOTION CARRIED
Unanimous

Motion 09:02:27

Moved by Councillor Garbutt that the Town of Stettler Council approve the order of 2,500 "Green" 18 gallon bins with the Beautification Slogan "Keeping Stettler Clean and Green" and that the Town targets the month of April 2009 to launch the curbside/lane recycling program.

MOTION CARRIED
Unanimous

Letters from Floris Blokland

Mayor Hunter explained that he had spoken with F. Blokland regarding recycling and mandatory recycling fees.

(d) Memo re: McKay Hayden Subdivision

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

Deputy Mayor Councillor Dennis assumed the chair.

Assistant CAO G. Switenky advised that in the spring of 2008 G. Hayden the project manager for the McKay Hayden subdivision (adjacent to the Town) submitted a subdivision application to the County of Stettler. The applicant is proposing to connect to the Town's water distribution system at two locations thereby creating a loop which will enhance fire protection and allow broader commercial developmental opportunities for his development.

The Regional Fire Chief requested Tagish Engineering to prepare options and complete a review of the McKay Hayden proposal to determine if there is any immediate benefit to the Town of Stettler regarding the installation of a developer provided 200mm water line extension within the Town boundaries.

The Tagish engineering report confirms that the Town of Stettler would benefit from improved fire flow coverage and by having the ability to supply water to the remaining unserviced lots on 44 Avenue. Tagish has proposed three installation options of which the Regional Fire Chief recommends Option 2.

Option 2 will connect into the 200mm waterline at 42 Street, thereby supplying water in an easterly direction along 44th Avenue to the Town's boundary. The Town would benefit by installing three additional fire hydrants which will greatly improve fire protection along 44 Avenue.

External subdivision developments to the southeast and northeast will primarily benefit from this water line extension; connection/completion of the loop within the McKay Hayden subdivision will provide necessary water flow capacity for developmental servicing and commercial fire protection.

According to the cost breakdown supplied by Tagish Option 2 is estimated to cost \$198,212 (including three fire hydrants within the Town). Administration is recommending to Council that the Town should pay for one third of the costs associated with the water line section located within the Town's boundaries; subject to the external looping as proposed by the Developer being completed.

One third of the shareable costs along with paying 100% of the three "In-Town" fire hydrants would cost a total \$84,071. It was noted that Council also has the option of contributing nothing towards this waterline because it is necessary (at this time) for a subdivision located outside the Town's boundaries.

Discussion ensued regarding the physical location of the line, equitable/fair cost sharing given the noted benefits, alternative sources of 2009 funding for the Town's share of the project, and future tax sharing (IDP) with the County resulting from service connections.

Motion 09:02:28

Moved by Councillor Thorogood that the Town of Stettler Council approves Option #2 of the Tagish Engineering Report dated January 26, 2009 respecting the McKay Hayden (County Subdivision) Water Servicing Project, and agrees to contribute 1/3rd of the developers cost to install a section of waterline within the Town's boundaries along 44th Avenue from 42nd Street easterly to the Town boundary; the 1/3rd cost to the Town is estimated to be \$57,071. And further to improve fire protection (for the area in the Town), the Town of Stettler will install 3 fire hydrants within the Town's boundaries at an estimated cost of \$27,000.

MOTION CARRIED

Unanimous with the abstention of Mayor Hunter

(e) Memo re: Don Peters Industrial Development

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

Deputy Mayor Councillor Dennis assumed the chair.

Town Council advised that on November 4th, 2008 Town of Stettler's Subdivision Approval Authority approved the subdivision application for Don Peters to create one Industrial Parcel (Auto Trust Lot), subject to the applicant entering into a development agreement for storm water improvements required on the parcel.

In order to properly address storm water drainage within the parcel the Town of Stettler must address/improve surface drainage beyond the developer's lands as well. Administration has prepared the Development Agreement in a manner that will allow the Town of Stettler to initiate the tender for the entire drainage project.

The Development Agreement has been prepared to ensure that the applicant agrees with the Town of Stettler tendering this project, and further that the applicant is responsible for all costs associated with the portion benefiting the developer's lands.

The Developer has also validly petitioned the Town to undertake the drainage project (on his lands) as a Local Improvement. Administration supports this approach and funding method.

Discussion ensued briefly regarding the scope and magnitude of the engineering design prepared to address this (long standing) drainage issue within the Town.

Motion 09:02:29

Moved by Councillor Richards that Town Council approve the Don Peters Development Agreement and congruent Local Improvement Plan in order to proceed with a Capital Project for storm water improvements on 48th Street as follows:

1. Send the developer the notice of intent for the Local Improvement.
2. Have Tagish Engineering finalize construction drawings and prepare the tender document.
3. Register the Development Agreement, and deferred reserve caveat on title.
4. Review the final Plan of Subdivision and Utility Right-of-Way Agreement prior to final endorsement.
5. Tender project.
6. Finalize a local improvement bylaw based on completed construction costs.

MOTION CARRIED
Unanimous with the abstention of
Mayor Hunter

Mayor Hunter re-assumed the chair.

(f) Memo re: Safety Codes Request for Proposals

Development Officer, W. Holowachuk advised that Administration has reviewed three solicited proposals and evaluated them against the request for proposal requirements, existing service levels, and references received.

Based on this review Administration is recommending that Council approve the IJD Inspection proposal (at 35% Town Share/65% Agency share) subject to IJD removing their fee costs for extra services indicated in their proposal.

In addition, Town Council must endorse the new Uniform Quality Management Plan for the Town which has been updated to incorporate the authority for Safety Code inspections under Building, Electrical, Gas and Plumbing disciplines in accordance with the *Safety Codes Act*.

Subject to Council's approval Administration will:

1. Offer to enter into a contract with IJD Inspection services subject to their agency removing the extra fees indicated in the proposal. This contract would be for a three year term with a two one year options to extend.
2. Submit the endorsed Uniform Quality Management Plan and required fees to Safety Codes Council.
3. Prepare a transition plan with Safety Codes Council.
4. Begin training with new agency, and notify contractors/public of changes.
5. Work with Permit Pro to receive closed files on existing permits.

Discussion ensued regarding differences in the permit fee revenue sharing percentages generated by each agency. Assistant CAO, G. Switenky noted that Administration considers a high level of safety code inspection services/public safety to be of far greater importance than modestly higher (possibly unsustainable) revenue sharing percentages.

It was also noted that the County of Stettler utilizes the inspection services of IJD for all four safety code disciplines as well.

Motion 09:02:30

Moved by Councillor Garbutt that the Town of Stettler approves the endorsement of a Uniform Quality Management Plan for Building, Electrical, Gas and Plumbing disciplines of safety code inspections in accordance with the *Safety Codes Act* and the Safety Codes Council.

And further, that the Town of Stettler Council approves entering into a contract with IJD Inspection Ltd. as per their proposal for the provision of safety codes inspections/permits for all disciplines, subject to the removal of the extra fees indicated in their proposal.

MOTION CARRIED
Unanimous

(g) Policy VII-4 re: Purchasing of Goods & Services

Assistant CAO, G. Switenky advised that Policy VII-4 is to provide guidelines to ensure that Town of Stettler purchasing is carried out in an efficient, economical, fair and legislatively compliant manner.

The *Trade, Investment and Labour Mobility Agreement (TILMA)* between the provinces of Alberta and British Columbia includes a set of procurement thresholds unique to the MASH sector that require open and competitive tendering for goods and services above \$75,000 and above \$200,000 for construction projects.

Concurrently, under the provisions of the pan-Canadian *Agreement on Internal Trade (AIT)* procurement thresholds require municipalities purchasing goods valued at \$100,000 or more and construction project tenders of \$250,000 or more must be open and treat all suppliers the same.

An amendment to the existing purchasing policy is required to ensure the Town is legislatively compliant with the provincially regulated cross-boarder purchasing provisions under *TILMA*.

The MERX tendering system has been established and is an available tool to assist the MASH Sector comply with provincial and national purchasing regulations.

Motion 09:02:31

Moved by Councillor Campbell that the Town of Stettler Council approve Policy VII-4, being the Purchasing of Goods & Services Policy as presented.

MOTION CARRIED
Unanimous

Development Officer, W. Holowachuk departed the meeting at 7:25 p.m.

(h) Request for Subdivision 2009-01

Discussion ensued regarding possible conflicts of interest.

Mayor Hunter together with Councillors Thorogood & Richards advised that they would have to declare a conflict prior to any discussion. These declarations would result in a loss of quorum (only three Members of Council would remain present) given the absence of Councillor Peeples.

It was mutually agreed that this item should be tabled to the March 3, 2009 Council Meeting given the absence of Councillor Peeples.

Motion 09:02:32

Moved by Councillor Campbell that the Town of Stettler Council table consideration of Subdivision 2009-01 to the March 3, 2009 Council Meeting.

MOTION CARRIED
Unanimous

(i) March Newsletter Items

- 2009 Trade Show – April 17, 18 & 19
- Recycling Program
- Sports Park "Tax deductible" Donations

Mayor Hunter recessed the regular meeting at 7:30 p.m.

Mayor Hunter reconvened the regular meeting at 7:35 p.m.

5. **Delegations:**

- (a) 7:30 P.M. re: Executive Director of Canadian Badlands, Cindy Amos & Keith Ryder, Executive Director of Regional Board of Trade

Cindy Amos, Executive Director of Canadian Badlands, Keith Ryder, Executive Director of Regional Board of Trade & Les Stulberg, County Councillor entered the meeting at 7:35 p.m.

Mayor Hunter welcomed delegation members to the meeting.

C. Amos explained that the Canadian Badlands is a "Not for Profit" company established by a group of Alberta municipal government leaders (including the Town of Stettler) with a shared vision to make the Canadian Badlands Region a highly-recognizable/Iconic tourism destination.

Council reviewed a presentation of the Canadian Badlands Tourism Development Strategy.

Each shareholder is currently required to pay an annual levy to the Company based on \$0.10 per capita. Stettler's 2008 levy was \$584.30 based on a population of 5,843. C. Amos is proposing that shareholders agree to increase the annual levy to \$.50 per capita in order to enhance member services and coordinated promotional initiatives.

There are currently 57 participating municipal members in Canadian Badlands Inc. The company's annual \$0.10 per capita levy in 2008 generated only \$23,845. At \$0.50 per capita in 2009 the annual levy is projected to generate \$119,226.

Mayor Hunter thanked delegation members for their informative presentation.

Delegation members departed the meeting at 8:15 p.m.

Discussion ensued regarding the perceived value of the benefits associated with the proposed increase in Stettler's annual membership cost (\$584.30 to \$2,921.50).

Assistant CAO, G. Switenky advised that the Town is a founding shareholder (2007) in Canadian Badlands Ltd. and has three voting appointments: the Mayor, as well as the President and the Executive Director of the Stettler Regional Board of Trade and Community Development. The County of Stettler is also a shareholder.

Assistant CAO, G. Switenky further clarified that this proposed per capita fee increase will be voted on by shareholders at the Annual General Meeting to be held on Thursday February 26, 2009.

Motion 09:02:33

Moved by Councillor Thorogood that the Town of Stettler Council support the Canadian Badlands Ltd. as a Shareholder for the year 2009 at a cost of up to \$.50 per capita.

MOTION CARRIED (5 – 1)
Opposed: Councillor Richards

It was determined that no appointed Town representatives would be able to attend the AGM. Therefore it was mutually agreed that the Town authorize by proxy County Councillor Les Stulberg to vote on behalf of the Town's three absent representatives.

(j) Accounts Payable in the amount of \$396,145.38

Motion 09:02:34

Moved by Councillor Campbell that Accounts Payable in the amounts of (\$92,833.73, & \$303,311.65) for the period ending February 11, 2009 for a total amount of \$396,145.38 having been paid, be accepted as presented.

MOTION CARRIED
Unanimous

7. **Council:**

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Hunter

- Feb 4 - Joint Building
- Hwy 12/21 Water Commission
- Feb 5 - AUMA Mayors Conference in Edmonton.
- Feb 6 - Town Office duties
- Feb 10 - Committee of the Whole Meeting.
- Feb 12 - Cheque Presentation from TD Canada Trust re: Sports Park Donation.
- Feb 13 - Town Office duties.
- Battle of the Border Hockey Game.
- Feb 15 - Attended Snofest.

(b) Councillor Campbell

- Feb 10 - Committee of the Whole Meeting.

(c) Councillor Dennis

- Feb 4 - Site Meeting re: Joint Building.
- Feb 9 - FCSS Building Meeting.
- Feb 12 - TD Canada Trust Cheque Presentation re: Donation for Sports Park.

(d) Councillor Garbutt

- Feb 5 - County of Stettler Housing Authority Meeting.
- Feb 9 - FCSS Meeting.
- Feb 10 - Committee of the Whole Meeting.

(e) Councillor Peeples

- No report – absent from meeting.

(f) Councillor Richards

- Feb 4 - Site Meeting re: Joint Building.

(g) Councillor Thorogood

- Feb 5 - Heartland Beautification Meeting.

- Feb 10 - Board of Trade Meeting.
- Stettler Golf & Country Club Meeting.
- Committee of the Whole Meeting.

- Feb 11 - Stettler Golf & Country Club Meeting.

8. **Minutes:**

(a) Site Meeting Minutes of January 7, 2009

(b) Heartland Beautification Committee Meeting of February 5, 2009

Motion 09:02:35

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

MOTION CARRIED
Unanimous

9. **Public Hearing:**

(a) None

10. **Bylaws:**

(a) Bylaw 1976 -08 Land Use Bylaw (3rd Reading) & Summary of Amendments

Assistant CAO, G. Switenky explained that Land Use Bylaw 1976-08 is a complete re-write of the former 10 year old Land Use Bylaw 1797-98 and all amendments thereto.

A summary of revisions and mutual amendments that have been made to Bylaw 1976-08 since first reading (on December 2nd, 2008) was presented for Council's review.

Motion 09:02:36

Moved by Councillor Garbutt that the Town of Stettler Council give third and final reading to Bylaw 1976-08, as mutually amended.

MOTION CARRIED
Unanimous

11. **Correspondence:**

(a) Federal Budget Delivers New Infrastructure Funding

(b) Alberta Local News re: Development Capped

(c) Honorable Jack Hayden re: Major Community Facilities Program

(d) Alberta Health Services re: Seniors Symposium

(e) Alberta Urban Municipalities Association

(f) Buffalo Lake Wind Power Society

Motion 09:02:37

Moved by Councillor Richards that correspondence items 11(a) to 11(f) inclusive be accepted for information.

MOTION CARRIED
Unanimous

12. **Items Added:** (a) Sports Park Fundraising

Discussion ensued regarding the fundraising initiatives of the Volunteer Fundraising Committee; respecting the receipt of donations which commit the Town to potential park attributes that are not included in the original \$1 million budget.

It was mutually agreed that Administration will prepare a breakdown of the costs associated with the park attributes that were included in the \$1 million Sports Park Budget. This item will be discussed further at the Committee of the Whole Meeting on March 10, 2009.

13. **In-Camera Session:** (a) There was no In-Camera Session at this meeting.

14. **Adjournment:**

Motion 09:02:38

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

MOTION CARRIED
Unanimous at 9:01 p.m.

Mayor

Assistant CAO