

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL
HELD ON TUESDAY, FEBRUARY 2, 2010 IN THE MUNICIPAL OFFICE,
COUNCIL CHAMBERS**

Present: Mayor Dick Richards

Councillors A. Campbell, D. Bachman, D. Dennis, D. Garbutt, R. Peeples & L. Thorogood

Assistant CAO G. Switenky
Corporate Secretary C. Smith

Press (2)

Absent: CAO R. Stoutenberg

Call to Order: Mayor D. Richards called the meeting to order at 6:30 p.m.

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

Motion 10:02:01 Moved by Councillor Bachman to approve the agenda as presented with the following addition:

13(a) In-Camera Session re: Personnel Matter

MOTION CARRIED
Unanimous

3. **Confirmation of Minutes:**

(a) Minutes of the Regular Meeting of Council held January 19, 2010

Motion 10:02:02 Moved by Councillor Campbell that the Minutes of the Regular Meeting of Council held on January 19, 2010 be approved as presented.

MOTION CARRIED
Unanimous

(b) Business Arising from the January 19, 2010 Meeting Minutes

- It was confirmed that a refusal letter has been sent to Dreams Unlimited regarding their request for a Title Transfer.
- It was noted that Alberta Environment has been contacted regarding the Town wells and they are willing to speak with Town Council at a future meeting.
- Administration was directed to approach the County of Stettler regarding a joint rain barrel program.

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

5. **Delegations:** (a) None

6. **Administration:** (a) Memo re: Assessment Review Board (ARB)

Assistant CAO, G. Switenky advised that effective January 1st, 2010 there will now be two types of ARB's. Normal residential (with 3 or less dwelling units) and farmland complaints will be heard by the municipally appointed board members (bylaw 1848-02) much as the case is now. However, non-residential complaints will be heard by a new "Composite ARB", comprised of two local representatives and one provincial board member.

Each assessment review board clerk is required to complete the Administrative Law I course (2 days), while each board member is required to complete (and pass with 65%) both the Administrative Law II course (2 days) as well as the Principles of Assessment course (2 days).

Existing Town Bylaw 1848-02 requires that 5 members of Council and two alternates be appointed annually to the (local) ARB. A new Composite ARB Bylaw will be drafted and presented to Council in the spring.

Administration, at this time, feels it is important to allow Council the opportunity to review the composition of the local ARB, as well as to discuss the future appointment of two board members to the new Composite ARB.

Assistant CAO advised that spring courses will be held in April, May and June. Dates and locations will be forwarded to Council Members when available.

Mayor Richards concluded that all Members of Council should get this training in due course, as there is value to having local Councillors continue to comprise the ARB.

This item was accepted for information purposes.

(b) Subdivision Application #2009-03

Assistant CAO, G. Switenky advised that the applicant (Hooper Construction Ltd.) is proposing to create two residential parcels on Lot 18, Block 10, Plan RN54A located at 5001 - 53 Street.

The applicant is proposing to create two separate titles for a duplex currently under construction on 50 Avenue just west of the downtown core.

It was noted that this property is currently zoned R2 General Residential District and the proposed use, being a duplex, is listed as a permitted use within the R2 District.

Shaw Cable advised that their plant is aerial in the lane east of Lot 18 and would not be able to service Lot 18A without encroaching on Lot 18B via an aerial drop. It was also advised that in order to service Lot 18A with sanitary, an easement will be required on Lot 18B. Both of these concerns have been addressed within the conditions of approval.

It was agreed that Administration will contact Can-Pak (Town's garbage contractor) to determine an acceptable/designated area for garbage pickup.

Motion 10:02:03

Moved by Councillor Peeples that the Town of Stettler Council approve Subdivision Application 2009-03 as presented with the following conditions:

1. That the application is consistent with Section 7 of the Subdivision and Development Regulations.
2. That the application is consistent with the policies of the Municipal Development Plan.
3. That the application is consistent with the Land Use Bylaw.

Further, it is staff's recommendation that Council approve this application subject to the following conditions:

1. That two residential parcels be affected by Plan of Survey.
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 concerning the curb cut and sidewalk repair to access Lot 18A.
3. That the developer provides separate utility service connections to each property.
4. That the developer provides utility easements to enable Lot 18A to access services.
5. That any outstanding property taxes on the land being subdivided are paid or satisfactory arrangements made thereto the Town of Stettler.

MOTION CARRIED
Unanimous

(c) Memo re: Tenders

1. ½ Ton Truck Tender

Town Council reviewed the memorandum regarding the ½ Ton Truck tender. The following three tenders were received:

- Stettler GM Ltd.	\$21,520.00
- Aspen Ford Sales Ltd.	\$20,457.00
- Stettler Dodge Ltd.	\$18,502.00

It was noted that these prices do not include GST and that the Town's capital budget of \$22,000, includes a radio, safety features etc.

Administration is recommending purchasing the ½ Ton Truck from Stettler Dodge Ltd.

Motion 10:02:04

Moved by Councillor Thorogood that the Town of Stettler Council award the capital purchase of a 2010 ½ Ton Truck to Stettler Dodge Ltd. at a cost of \$18,502.00 plus GST.

MOTION CARRIED
Unanimous

2. Concrete Crushing Tender

Town Council reviewed the memorandum regarding the Concrete Crushing Tender. The following three tenders were received:

- Park Paving Ltd. (Edmonton)	\$108,000
- Bettensons Sand & Gravel (Red Deer)	\$ 92,500
- Double D Bobcat Service & Contracting Ltd. (Cold Lake)	\$ 71,500

It was noted that these prices do not include GST and that the Town's capital budget is \$120,000 for this project.

The tendered quantity was based on an estimate of 10,000 tonne. The site may have up to 13,000 tonne or more at this time. It was mutually agreed that we should crush up to the budget amount, if necessary, to clean up the entire site.

Administration has satisfactorily checked with referenced municipalities and is recommending awarding the tender to Double D Bobcat Service & Contracting Ltd.

Motion 10:02:05

Moved by Councillor Thorogood that the Town of Stettler Council award the concrete crushing tender to Double D Bobcat Service & Contracting Ltd. at a cost of \$71,500 plus GST. And further that Administration is authorized to crush additional material in excess of the tendered quantity/amount up to the approved capital budget limit of \$120,000.

MOTION CARRIED
Unanimous

3. Motor Grader Request for Proposal (RFP)

Town Council reviewed the memorandum regarding the Motor Grader RFP. Bids from the following two equipment suppliers were received:

- Strongco Equipment (Volvo)	\$206,333.61
- Brandt Tractor Ltd. (John Deere)	\$208,380.00

Both bids include options considered to be of value to assist our operators: a rear camera and blade accumulators that help protect the machine if a manhole or valve is struck.

It was noted that these prices do not include GST and that the Town's capital budget is \$230,000 for this unit. It was noted that the funding for this capital item is from the Municipal Sustainability Initiative (MSI) annual allocation; therefore approximately \$23,000 in MSI funding will not be required as originally anticipated.

Assistant CAO, G. Switenky advised that public works operational staff support the low bid from Strongco (Volvo).

Discussion ensued regarding whether the size of the unit was suitable for our urban needs. It was clarified (subsequent to this meeting) that the specified unit is actually one size smaller than the grader that was demoed earlier in the winter. Administration is recommending awarding the purchase to Strongco Equipment.

Motion 10:02:06

Moved by Councillor Bachman that the Town of Stettler Council award the 2010 motor grader capital purchase to Strongco Equipment, as presented, at a cost of \$206,333.61 plus GST.

MOTION CARRIED
Unanimous

4. Tandem Dump Truck Request for Proposal (RFP)

Town Council reviewed the memorandum regarding the Tandem Dump Truck RFP. Bids from the following two equipment suppliers were received:

- Glover International Truck Inc. (Red Deer)	\$168,537
- Freightliner of Red Deer	\$167,400

Assistant CAO, G. Switenky advised that the two trucks are very close in price and have similar warranties, however the slightly higher priced International truck (+\$1,137) offers an extra one-year warranty on injectors, fleet ISIS (computer based parts and updates), the engine has 20 more horsepower and there is a local service department in Stettler (GT Hydraulic). Therefore, Administration is recommending awarding the purchase to Glover International Truck Inc.

It was noted that these prices do not include GST and that the Town's capital budget is \$150,000 for this unit. It was highlighted that the funding for this capital item is from the Municipal Sustainability Initiative (MSI) annual allocation; therefore approximately \$19,000 more in MSI funding will be required than originally anticipated.

Discussion ensued regarding whether Council was legally obligated to accept the low bid (like a formal tender process) or whether this was an RFP process.

Assistant CAO, G. Switenky noted that the Request for Proposal offered by the Town states and discloses the following information to interested bidders:

"The Town reserves the right to accept a proposal other than the lowest bidder without stating reasons. By the act of submitting its bid, the bidder waives any right to contest in any legal proceedings or action the right of the Town of Stettler to award to whomever it chooses, in its sole and unfettered discretion, and for whatever reasons the Town deems appropriate. Without limiting the generality of the foregoing, the Town of Stettler may consider any other factor besides price and capability that it deems in its sole discretion, to be relevant to its decision".

Motion 10:02:07

Moved by Councillor Garbutt that the Town of Stettler Council award the 2010 tandem dump truck capital purchase to Glover International Truck Inc. at a cost of \$168,537 plus GST.

MOTION CARRIED
Unanimous

(d) Town Manager's Report

Motion 10:02:08

Moved by Councillor Campbell that the Town of Stettler Council accept the Town Manager's Report as presented.

MOTION CARRIED
Unanimous

(e) Accounts Payable in the amount of \$550,610.89

Motion 10:02:09

Moved by Councillor Bachman that Accounts Payable in the amount of \$344,295.68 & \$206,315.21 for the period ending January 27, 2010 for a total amount of \$550,610.89 having been paid, be accepted as presented.

MOTION CARRIED
Unanimous

7. **Council:**

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Richards

- Jan 20 - Sports Park fundraising photo with Devon Energy re: \$5,500 donation.
- Jan 21 - Sports Park Fundraising Meeting.
 - Town Office duties.
 - Meeting with Kinettes re: Olympic Torch video.
- Jan 25 - Conference call John Vogelzang.
 - Rotary luncheon.
- Jan 29 - ATCO luncheon re: \$30,000 donation to Sports Park.
- Feb 1 - Town Office duties.
- Feb 2 - Town Office Meeting with Assistant CAO.

(b) Councillor Bachman

- Jan 7 - Beautification Committee Meeting.
- Jan 11 - Development Appeal Board Meeting.
- Jan 29 - Municipal Planning Commission Meeting.

(c) Councillor Campbell

- Jan 22 - Rodeo Meeting with Ted Nibourg.
- Jan 26 - Rodeo Meeting with Sue Strandquist, Lyle Cassidy & Steve Thiessen.
- Jan 29 - Municipal Planning Commission Meeting.

(d) Councillor Dennis

- Jan 20 - Meeting at Heart Haven re: 50th Anniversary Celebration on June 11, 2010.

(e) Councillor Garbutt

- Jan 25 - FCSS Meeting.
- Jan 29 - Municipal Planning Commission Meeting.

(f) Councillor Peebles

- Jan 21 - Red Deer River Municipal Group Meeting.
- Jan 29 - Municipal Planning Commission Meeting.

(g) Councillor Thorogood

- Jan 20 - Sports Park Meeting.
 - Physician Recruitment.
- Jan 28 - Health Advisory Council.
- Jan 29/30 - Presentation to Kinsmen & Kinettes re: Attainable Housing. Various calls confirming information. The Kinsmen & Kinettes have agreed to work as the Not-For-Profit sponsoring this endeavor as the Rotary has declined.

8. **Minutes:**

(a) Trail of the Buffalo Tourism Annual General Meeting of January 20, 2010

(b) Subdivision & Development Appeal Board Hearing of January 11, 2010

(c) Municipal Planning Commission Meeting of January 18, 2010

Motion 10:02:10

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

MOTION CARRIED
Unanimous

Mayor Richards temporarily recessed the regular meeting at 7:39 p.m.

Mayor Richards reconvened the regular meeting at 7:44 p.m.

9. **Public Hearing:**

(a) None

10. **Bylaws:**

(a) 1992-10 re: Local Improvement Bylaw – Registry Building Sidewalk

Assistant CAO, G. Switenky explained that Bylaw 1992-10 is to authorize construction of sidewalk by levying a special assessment, therefore as a local improvement on 50 Street from 51 Avenue to south boundary of Lot 10 and on 51 Avenue from 50 Street to west boundary of Lot 7.

It was noted that the term of the annual special levy that was requested by the property owner is 10 years.

Motion 10:02:11

Moved by Councillor Peeples that the Town of Stettler Council give first reading to Bylaw 1992-10.

MOTION CARRIED
Unanimous

Motion 10:02:12

Moved by Councillor Thorogood that the Town of Stettler Council give second reading to Bylaw 1992-10.

MOTION CARRIED
Unanimous

Motion 10:02:13

Moved by Councillor Campbell that the Town of Stettler Council give permission for third and final reading to Bylaw 1992-10.

MOTION CARRIED
Unanimous

Motion 10:02:14

Moved by Councillor Bachman that the Town of Stettler Council give third and final reading to Bylaw 1992-10.

MOTION CARRIED
Unanimous

11. **Correspondence:**

(a) East Central Alberta Heritage Society

Assistant CAO, G. Switenky advised that a letter of support has been sent to the East Central Alberta Heritage Society.

(b) Economic Development re: Community Readiness Profile

Mayor Richards will be attending this meeting on February 18, 2010 at 9:00 a.m. If any other Councillors plan to attend to contact Charleen Smith.

(c) Stettler Conference – 2010 New Possibilities

(d) Municipal Government Board re: Notice of Hearing

Mayor Richards advised that he would be attending the Public Hearing on March 3rd, 2010 respecting an application by the Town of Stettler to annex territory from the County of Stettler.

(e) Letter re: Walking Trail

Administration will send a letter to Mr. Lough thanking him for his concerns and recommendations regarding the safety of pedestrians on Hwy #12. This letter will also be forwarded to the Parks & Leisure Department for consideration in the Pathway Report/Hospital Sidewalk.

Motion 10:02:15

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

MOTION CARRIED
Unanimous

12. **Items Added:** (a) None

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

Motion 10:02:16

Moved by Councillor Bachman that the Town of Stettler Council proceed into an In-Camera Session with the Assistant CAO present.

MOTION CARRIED
Unanimous at 7:55 p.m.

Motion 10:02:17

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

MOTION CARRIED
Unanimous at 8:03 p.m.

14. **Adjournment:**

Motion 10:02:18

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

MOTION CARRIED
Unanimous at 8:03 p.m.

Mayor

Assistant CAO