

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL
HELD ON TUESDAY, FEBRUARY 3, 2009 IN THE MUNICIPAL OFFICE,
COUNCIL CHAMBERS**

Present: Mayor J. Hunter

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

Town Manager R. Stoutenberg
Assistant CAO G. Switenky

Press (2)

Absent: None

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

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

Motion 09:02:01 Moved by Councillor Peeples to approve the agenda with the following addition:

13(a) In-Camera – Land Development

3. **Confirmation of Minutes:**

(a) Minutes of the Regular Meeting of Council held January 20, 2009

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

MOTION CARRIED
Unanimous

(b) Business Arising from the January 20, 2009 Minutes

None

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

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

6. **Administration:** (a) Request for Subdivision 2008-06

Mayor Hunter and Councillor Dennis declared possible conflicts of interest and by departing the meeting excused themselves from discussion and voting on this matter.

Acting Deputy Mayor Councillor Campbell assumed the Chair.

Town Manager, R. Stoutenberg advised that the applicants (Doug, Mavis, Ronald & Betty Smith) are proposing to create four General Residential lots to accommodate a duplex on Block X, Plan 1368 at Certificate of Title (COT) 072615777; located at 5212 – 57 Street (along Tower Road). It was also noted that there is an existing residence on one of the newly created parcels.

On June 3rd Town Council gave final reading to rezone the applicant's property from R4: Small Holdings Residential to R2: General Residential in order to accommodate the development of a duplex on the subject property. On July 31st the applicant received Municipal Planning Commission approval for the development (to allow the orientation of the duplex shown on the plan of subdivision).

As the applicant's parcel is relatively isolated in terms of a lack of municipal services and internal road infrastructure the applicant was given approval to service individual parcels with private services and registered easements for practical access purposes. Municipal services and internal roadway construction will eventually be required in accordance with the Area Structure Plan (Bylaw) as neighboring parcels develop further.

The estimated costs to provide municipal services at the time of rezoning was \$156,000, and as a result it is deemed appropriate to allow the applicant to proceed with private services (at significantly less cost). Since the applicant is permitted to install private services it is necessary that the applicant enters into a deferred service agreement to ensure each newly created parcel is provided with Town storm, water and sewer in the future and that all costs associated to such works are the responsibility of the applicant/future owners.

The shared internal road network for the entire area as outlined in the Area Structure Plan is also not physically practical and/or developable at this time due to the lack of any development plans on surrounding properties. Therefore the deferred servicing agreement will also address a share of future roadway development including base work, paving and curbing at the applicant's/future owner's cost.

One concern was received from an adjacent property owner Mrs. Dennis (large property immediately to the south) respecting this development/subdivision.

Councillor Richards entered the meeting at 6:35 p.m.

Discussion ensued regarding the objection from Mrs. Dennis respecting the future development plans for a cul-de-sac road of which ½ is planned (under the ASP) to be located on her property. It was questioned whether approving this subdivision would obligate or require a commitment from Mrs. Dennis for her abutting property's share of the other half of the road?

Town Manager, R. Stoutenberg explained that the current Area Structure Plan is being followed by MPC, the applicant, as well as by previous developers in the area. He further clarified that this cul-de-sac road will not be required to be constructed for access or dedicated by Mrs. Dennis until her property is subdivided (for higher density type development) in the future; her property remains zoned as R4 at this time.

It was noted that future planning initiatives/practical updates for this area coupled with amendments to the existing ASP may result in changes to this road plan in the future.

Motion 09:02:03

Moved by Councilor Thorogood that Subdivision Application 2008-06 from Doug, Mavis, Ronald & Betty Smith to create four General Residential lots to accommodate a duplex on Block X, Plan 1368 at COT 072615777 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 2008-06 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. 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 2008-06 subject to the following conditions:

1. Subdivision to be effected by a plan of Survey, pursuant to Section 657 of the *Municipal Government Act*.
2. That the applicant enters into a Deferred Service Agreement with the Town of Stettler regarding the provision of municipal services to each parcel being created to the satisfaction of the Town of Stettler's Public Works Department and the Planning Department. This Deferred Service Agreement will address future water, sanitary, storm, curb, and paving infrastructure to be constructed at the sole cost of the applicant when such services and improvements are deemed accessible and/or necessary including registration of all necessary right-of-ways and easements to accommodate such improvements. This Deferred Service Agreement is to be registered on title prior to final endorsement of the subdivision.
3. That the applicant registers the cul-de-sac road right-of-way subject to removing the corner cut as shown on the northwest corner of the cul-de-sac as shown on the tentative Plan of Subdivision. The applicant will also be required to register the 57th Street road right-of-way as indicated on the tentative Plan of Subdivision for road widening purposes. The applicant is not to register the proposed 6.0 meter lane as shown on the tentative plan.
4. That the applicant registers a caveat on title for Lot 1, Block 6 to provide for temporary access to Lots 2, 3 & 4, Block 6 until such a time that the cul-de-sac road right-of-way can be developed to provide permanent access.

5. That any outstanding property taxes on the land being subdivided are paid or satisfactory arrangements are made thereto the Town of Stettler.

MOTION CARRIED

Unanimous with the abstention of
Mayor Hunter & Councillor Dennis

Mayor Hunter and Councillor Dennis returned to the meeting.

Mayor Hunter re-assumed the chair at 6:42 p.m.

(b) Memo re: Crosswalk Light Replacement

Town Council reviewed the memorandum from Director of Operational Services, J. Keith regarding pedestrian crosswalk lights.

Administration is recommending to use the \$60,000 approved in the 2009 Capital Budget for pedestrian crosswalk lights at the Main Street/51 Avenue (Hwy 56) intersection and to plan to complete the 54 Street/50 Avenue crosswalk next year (2010). With the north end Main Street sidewalk upgrades happening this year there is a practical benefit achieved by completing the 51st Avenue crosswalk in 2009.

It was noted that the light pole on the southwest corner of this intersection is located in the parking lane and should be moved to a proper location. The Town would install a pedestrian activated solar powered crosswalk consisting of a pedestal pole (3m tall) on one side of the road and a cantilever pole on the other reaching over the middle of the road. Also the intersection should be reduced to one controlled crosswalk across 51 Avenue (Hwy 56). This would conform to TAC (Transportation Association of Canada) requirements.

Motion 09:02:04

Moved by Councillor Garbutt that the Town of Stettler Council allocates the \$60,000 approved in the 2009 Capital Budget for pedestrian crosswalk upgrades towards the 51st Avenue (Hwy 56) location at the north end of Main Street.

MOTION CARRIED

Unanimous

(c) Memo re: Recreational Park Storm Main Tender

Town Council reviewed the memorandum from Director of Operation Services, J. Keith regarding the Recreational Park Storm Main Tender.

It was advised that the storm main tender closed on January 29th with fourteen (14) contractors submitting tenders. Tagish Engineering is recommending awarding the tender to M. Pidherney's Trucking Ltd. being the lowest bidder at \$312,986.99. Prices include a 10% contingency and GST.

The estimated budget for the entire project is \$580,000 which includes engineering.

Town Manager, R. Stoutenberg advised that the Town has utilized Pidherney's services in the past and was very satisfied with the quality of the work they performed for the Town.

Motion 09:02:05

Moved by Councillor Campbell that the Town of Stettler Council award the Storm Main Installation – Stettler Recreation Park Contract to M. Pidherney's Trucking Ltd. at a cost of \$312,986.99 (tax in).

MOTION CARRIED
Unanimous

(d) Update re: Physician Recruitment

Mayor Hunter reviewed the Physician Recruitment expenses for Dr. Agwaze family as coordinated and incurred by the Board of Trade. The Town's 50% share of the total expenses to date is \$11,166.80. It was stated that the recruitment process is progressing very well and that Dr. Agwaze and his family are pleased with the community and their temporarily provided accommodations.

Motion 09:02:06

Moved by Councillor Thorogood that the Town of Stettler Council accept the Physician Recruitment expenses to date as presented and further approves reimbursement funding to the Stettler Regional Board of Trade and Community Development as invoiced.

MOTION CARRIED
Unanimous

(e) Stettler & District FCSS 2009 Budget

The 2009 Family & Community Support Services Operating Budget as submitted was briefly reviewed. It was highlighted that the Town's 20% contribution is estimated at \$32,097 which is necessary to access maximum 80% provincial grant funding in the amount of \$128,388. These maximum funding levels will be administratively adjusted to actual once the provincial budget is set in the spring.

Councillor Thorogood asked if it was appropriate to question at the Council Table why the Heartland Youth Centre funding was significantly reduced in the 2009 FCSS Budget.

Appointed FCSS Board Members Councillors Garbutt and Dennis respectfully responded that the FCSS Board has met with representatives of the Heartland Youth Centre Society Board to clarify and explain the rationale for the Board's 2009 decision.

It was further stated that although this reduction has financially affected the HYC Society's 2009 Budget, they have reserves that can be utilized to soften the impact.

FCSS will consider additional funding for the HYC Society should additional grant funding be realized after the provincial budget is approved.

Motion 09:02:07

Moved by Councillor Richards that the Town of Stettler Council accept the 2009 Family & Community Support Services Budget as presented. And further to financially assist their operations, Town of Stettler Council approves in the Town's 2009 Operating Budget a 20% Municipal grant contribution, estimated at \$32,097 required to maximize the Province's 80% funding commitment.

MOTION CARRIED 6 - 1
Opposed: Councillor Thorogood

(f) Town Manager's Report

Motion 09:02:08

Moved by Councillor Campbell that the Town Manager's Report for the month of January be accepted as presented.

MOTION CARRIED
Unanimous

(g) Accounts Payable in the amount of \$1,314,390.16

Motion 09:02:09

Moved by Councillor Peeples that Accounts Payable in the amounts of (\$887,062.73, \$334,520.55, \$30,000.00 & \$62,806.88) for the period ending January 28, 2009 for a total amount of \$1,314,390.16 having been paid, be accepted as presented.

MOTION CARRIED
Unanimous

7. Council:

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Hunter

- Jan 21 - Alberta Seniors Zone 4 Hockey Game.
- Jan 23 - Attended Valve Turning in Alix.
- Town Office duties.
- Jan 27 - Strategic Planning Meeting.
- Jan 29 - East End Park Open House.
- Jan 30 - Meeting with seniors re: Seniors Centre.
- Town Office duties.

(b) Councillor Campbell

- Jan 27 - Strategic Planning Meeting.
- Jan 29 - East End Park Open House.
- Jan 30 - Major Event Committee.

(c) Councillor Dennis

- Jan 23 - FCSS Board Meeting.
- Jan 27 - Strategic Planning Meeting.

(d) Councillor Garbutt

- Jan 23 - FCSS Meeting.
- HYC Delegation.
- Jan 27 - Strategic Planning Meeting.
- Feb 2 - Municipal Planning Commission Meeting.

(e) Councillor Peebles

- Jan 27 - Strategic Planning Meeting.
- Feb 2 - Municipal Planning Commission Meeting.

(f) Councillor Richards

- Jan 30 - Sports Park Fundraising luncheon with Johnson Connor & Rushton Agencies.

(g) Councillor Thorogood

- Jan 22 - Art Symposium Organizational Meeting.
- Jan 27 - Strategic Planning Meeting.
- Jan 29 - Art Symposium Organizational Meeting.
- Feb 2 - Municipal Planning Commission Meeting.

8. **Minutes:**

(a) None

9. **Public Hearing:**

(a) None

10. **Bylaws:**

(a) 1984-09 re: Business Tax Rate

Town Manager, R. Stoutenberg explained that this Bylaw compliments the Town's Business License Bylaw which jointly and collectively results in a unified levy of \$125 per year on all businesses/professionals operating in Stettler.

It was noted that in 2009 Business Licenses/Taxes will generate approximately \$68,000 of the \$158,000 provided as operating assistance to the Stettler Regional Board of Trade and Community Development.

It was suggested that the \$125 Business License/Tax levy is possibly too low and should be reviewed next year. Assistant CAO G. Switenky responded that the \$125 levy amount was comparatively reviewed against other jurisdictions early in 2008 (January 8th, 2008 Council Meeting) and was determined to be satisfactory at that time.

Motion 09:02:10

Moved by Councillor Campbell that the Town of Stettler Council give first reading to Bylaw 1984-09.

MOTION CARRIED
Unanimous

Motion 09:02:11

Moved by Councillor Thorogood that the Town of Stettler Council give second reading to Bylaw 1984-09

MOTION CARRIED
Unanimous

Motion 09:02:12

Moved by Councillor Peebles that the Town of Stettler Council give permission for third and final reading to Bylaw 1984-09.

MOTION CARRIED
Unanimous

Motion 09:02:13

Moved by Councillor Dennis that the Town of Stettler Council give third and final reading to Bylaw 1984-09.

MOTION CARRIED
Unanimous

11. **Correspondence:**

- (a) Alberta Solicitor General and Public Safety
- (b) Alberta Transportation re: Regional Water Treatment Plant Project
- (c) Alberta Transportation re: Gas Tax Fund
- (d) Stettler Public Library

Assistant CAO, G. Switenky explained that the *Libraries Act* (Section 9) requires that the Library Board:

- Keep accounts of its receipts, payments, credits and liabilities,
- Have a person who is not a member of the municipal board and whose qualifications are satisfactory to Council review the accounts each calendar year and prepare a financial report in a form satisfactory to Council, and
- Submit the financial report to Council immediately after its completion.

The Stettler Public Library Board is seeking Council's approval to engage Campbell Chapman, Chartered Accountants to prepare financial statements on a Notice to Reader basis for the year ended December 31, 2008.

Motion 09:02:14

Moved by Councillor Thorogood that the Town of Stettler Council accept and ratify the recommendation of the Stettler Public Library Board to have Campbell Chapman Chartered Accountants prepare Financial Statements on a Notice to Reader basis for the year ending December 31, 2008. And further that the Town of Stettler Council accepts this form and basis of annual reporting for the Stettler Public Library as being satisfactory in order to comply with the account review provisions under the *Libraries Act*.

MOTION CARRIED
Unanimous

- (e) Alberta Agriculture and Rural Development
- (f) Big Valley 95th Birthday

- (g) Pheasantback Golf Course
- (h) Stettler & District Handibus Society
- (i) Red Deer River Watershed Alliance
- (j) Canada Summer Jobs Initiative for 2009

Motion 09:02:15

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

MOTION CARRIED
Unanimous

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

13. **In-Camera Session:** (a) Land Development

Motion 09:02:16

Moved by Councillor Peeples that the Town of Stettler Council proceed into an In-Camera Session with the Town Manager & Assistant CAO present to discuss the item as presented on the In-Camera Agenda.

MOTION CARRIED
Unanimous at 7:45 p.m.

Motion 09:02:17

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

MOTION CARRIED
Unanimous at 8:01 p.m.

14. **Adjournment:**

Motion 09:02:18

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

MOTION CARRIED
Unanimous at 8:01 p.m.

Mayor

Assistant CAO