

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL
HELD ON TUESDAY, JANUARY 5, 2010 IN THE MUNICIPAL OFFICE,
COUNCIL CHAMBERS**

Present: Mayor Dick Richards

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

CAO R. Stoutenberg
Assistant CAO G. Switenky

Press (2)
Public (2)

Absent: None

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

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

Motion 10:01:01 Moved by Councillor Peeples to approve the agenda as presented with the following additions:

- 12(a) Attainable Housing Project Update
- 12(b) County of Stettler – 2009 Municipal Sponsorship Program

MOTION CARRIED
Unanimous

3. **Confirmation of Minutes:**

- (a) Minutes of the Regular Meeting of Council held December 15, 2009

Motion 10:01:02 Moved by Councillor Campbell that the Minutes of the Regular Meeting of Council held on December 15, 2009 be approved as presented.

MOTION CARRIED
Unanimous

- (b) Business Arising from the December 15, 2009 Meeting Minutes

None

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

5. **Delegations:** (a) 7:30 P.M. re: 2010 Stettler Regional Board of Trade and Community Development Budget

This item was dealt with later in the meeting.

6. **Administration:** (a) Memo re: Board Appointments

CAO, R. Stoutenberg advised that two individuals have shown an interest in sitting on the FCSS and Subdivision & Development Appeal Board.

Administration is recommending appointing Kelly Hicks to the FCSS Board and Malcolm Fischer to the Subdivision & Development Appeal Board.

Motion 10:01:03

Moved by Councillor Garbutt that the Town of Stettler Council accept the appointments of Kelly Hicks to the FCSS Board and Malcolm Fischer to the Subdivision & Development Appeal Board. And further that these appointments will expire at the 2010 Organizational Meeting.

MOTION CARRIED
Unanimous

(b) Memo re: Pedestrian Bridge replacement near Mall

CAO, R. Stoutenberg explained that Administration was unable to find more than one company to supply and install engineered pedestrian bridges 65 ft. long; PW Site Works Inc. will supply and install the bridge at a cost of \$73,716.

The 2009 Capital Budget authorized \$65,000 towards this project. This included a 50% pathways grant from CFEP of \$32,500 plus a 50% general reserve allocation of \$32,500.

The quote from PW Site Works Inc. is over budget by \$8,716; however the paving portion of another 2009 CFEP pathway paving grant application (47th Avenue along Hwy 12) has come under budget by close to \$9,000.

What this means is that the Town can fully cover the bridge project overage utilizing unspent 2009 CFEP funds combined with the corresponding unspent 2009 general reserve allocation (previously committed to match the grant).

Under the circumstances, and to be in compliance with the Town's Purchasing Policy Council should also authorize this purchase as being from a sole supplier.

Discussion ensued regarding whether the existing bridge structure should be replaced at this time and whether the replacement is structurally warranted.

Discussion continued regarding the ongoing annual maintenance associated with the existing bridge and the present opportunity to get 50% funding under CFEP to replace the structure.

Motion 10:01:04

Moved by Councillor Thorogood that the Town of Stettler Council approve purchasing the supply and installation of a pedestrian bridge from PW Site Works Inc. as substantively quoted.

And that Administration advise the Contractor to delay the installation until after the winter season, if possible, to avoid some of the heating and hording costs that are included in the quote.

And that unspent CFEP grant money for 2009 pathways combined with the corresponding matching general reserve funds are reallocated to fund the overage.

And further that the Town of Stettler Council authorizes this purchase as being procured from a sole supplier given the relative unique nature of this supply and installation.

MOTION CARRIED (5-2)
Opposed: Councillors Campbell &
Dennis

(c) AHS re: Hairdresser Business License Exemption Letter

CAO, R. Stoutenberg advised that Council has previously resolved (December 1st, 2009) that Cathy Cassidy is required to obtain a valid Town of Stettler business license for her contract hairstylist services at the Stettler Hospital and Care Facility.

C. Cassidy with the assistance of the Alberta Health Services representation is requesting that Council reconsider their decision.

Mayor Richards welcomed Cathy Cassidy, (hairstylist) and Peggy Hearonemus, AHS Site Manager to the meeting.

Discussion ensued regarding Council's rationale for their original decision and whether it would be appropriate to exempt her service from requiring a Business License.

Discussion continued regarding the discounted nominal fee charged by C. Cassidy when providing hairdressing services to long-term care residents within the Stettler Hospital and Care Centre.

It was noted that Council has the authority under the Business Licensing Bylaw 1807-99 to exempt a business (or part of a business) from requiring a Business License.

Motion 10:01:05

Moved by Councillor Peeples that the Town of Stettler Council approve a 2009 and 2010 Business License exemption, as permitted in Bylaw 1807-99, to Cathy Cassidy for providing contract hairstylist services to long term residents within the Stettler Hospital and Care Centre. And further that this exemption must be (re)approved annually by Council.

MOTION CARRIED
Unanimous

C. Cassidy and P. Hearonemus departed the meeting at 7:10 p.m.

(d) Memo re: 2010 Business License Fees

This item was dealt with later in the meeting.

(e) Request for Certificate Condominium Plan

CAO, R. Stoutenberg advised that the applicant (1139817 Alberta Ltd.) is proposing to divide eleven (11) rowhouses into condominium units on Block 43, Plan 430 A.D. located at 4807 - 62 Street.

CAO, R. Stoutenberg further outlined the relevant provisions of the *Municipal Government Act* and the *Condominium Property Act* respecting Council's authority and responsibility to provide a certificate (approving the proposed division of the building) if it is satisfied that all previously issued development permit conditions and relevant Town planning bylaws have been complied with.

Legislation dictates that there is no further Council consideration required because the surface boundaries of the parcel of land on which the buildings are located will not change rather only the form of internal ownership will change.

It was stated that some of these units may/will still be available for rental depending on the Condo's bylaws.

It was noted that Staff has assessed this application against the provisions outlined in the Town of Stettler's Land Use Bylaw 1797-98 and the *Condominium Property Act*.

Discussion ensued regarding the Staff recommendation to require that the Applicant/Developer provide \$30,000 in security to ensure the completion of the parking lot, landscaping, etc. as approved by Municipal Planning Commission (original development approval is subject to the Developer entering into a Development Agreement).

Motion 10:01:06

Moved by Councillor Thorogood that the application from 1139817 Alberta Ltd. to divide eleven (11) rowhouses into condominium units on Block 43, Plan 430 A.D. located at 4807 - 62 Street, as shown on the Tentative Condominium Plan, has been evaluated in terms of the *Condominium Property Act*, and that the application is approved by the Town of Stettler subject to the Applicant/Developer providing \$30,000 in security to complete outstanding requirements as per Municipal Planning Commission development approval and the Tentative Plan for the following reasons:

1. That the application is consistent with the *Condominium Property Act*.
2. The application is consistent with the Town of Stettler's Land Use Bylaw.
3. Development approval was granted by the Municipal Planning Commission subject to the Developer entering into a Development Agreement to cover all matters relating to but not inclusive to landscaping, parking lot development, servicing, lot grading and curb/gutter construction.

And further, in accordance with relevant provision in the *Condominium Property Act*, upon the security condition being satisfied, the applicant shall receive a certificate of the Town of Stettler (municipal authority) stating that the proposed division of the buildings/property, as illustrated in the plan, has been approved by the Town of Stettler (municipal authority).

MOTION CARRIED
Unanimous

(f) Town Manager's Report

Motion 10:01:07

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

MOTION CARRIED
Unanimous

5. **Delegations:**

(a) 7:30 P.M. re: 2010 Stettler Regional Board of Trade and Community Development Budget

Keith Ryder, Executive Director, Gail Peterson, Board President and Gwenda Gravely, Executive Assistant; representatives of the Stettler Regional Board of Trade and Community Development entered the meeting at 7:30 p.m.

Mayor D. Richards welcomed members of the delegation to the meeting.

K. Ryder commenced with a power point presentation highlighting key services and projects associated with the proposed 2010 Operating Budget and Business Plan for the Stettler Regional Board of Trade and Community Development (Board of Trade).

The Board of Trade is requesting \$222,230 from the Town's 2010 Operating Budget to financially assist their operations.

It was noted that the Town's 2010 Interim Operating Budget Forecast includes an adjusted net expenditure allocation of \$218,005 (2009 - \$160,450).

It was also noted that the Town will collect approximately \$71,875 from Business Licensing & Taxes in 2010 (based on a flat \$125 each) and that there is no financial contribution expected from the County in 2010.

The majority of the proposed 2010 expenditure increase (over 2009) is due to the inclusion of a new (optional) community development component estimated to cost \$44,900.

Discussion ensued regarding various services, responsibilities and projects included in their detailed budget document.

Mayor Richards thanked delegation members for their informative presentation.

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

Mayor Richards temporarily adjourned the meeting at 8:15 p.m.

Mayor Richards reconvened the meeting at 8:19 p.m.

Motion 10:01:08

Moved by Councillor Thorogood that the Town of Stettler Council accept and Stettler Regional Board of Trade and Community Development's 2010 Operating Budget and Business Plan, and further approves the inclusion of \$222,230 in the Town's 2010 Operating Budget to financially assist their operations, subject to Council reviewing further a plan as to how the \$44,900 allocated towards Community Development will be used.

MOTION CARRIED
Unanimous

Mayor Richards directed Council's attention to Agenda Item 6(d) at this point in the meeting.

(d) Memo re: 2010 Business License Fees

CAO, R. Stoutenberg advised that Administration has conducted a review of the Town's existing Business Licenses issued and the Business License Bylaw 1807-99.

In reviewing the Town's existing rates for "resident" businesses and "non-resident" businesses the Town is comparable with other similar sized municipalities in Alberta. It was noted that this fee automatically includes their access to all membership benefits and services of the Alberta Chamber of Commerce.

The last amendment to the Business License Bylaw 1807-99 was in January 1999, which reduced the business license fees from \$150 to \$125 for resident businesses and from \$350 to \$325 for non-resident businesses.

For Administrative authority a Business "Tax" Rate Bylaw is required annually, and if Council desires to change the amount (\$125) then an amendment to the existing Business "License" Bylaw will be required as well.

Discussion ensued as to whether a rate change for 2010 is warranted and appropriate.

It was mutually agreed that this item will be returned to Council at the next regular meeting on January 19, 2010.

(g) Accounts Payable in the amount of \$2,558,942.46

Motion 10:01:09

Moved by Councillor Bachman that Accounts Payable in the amounts of \$2,430,053.20, \$90,188.28 & \$38,700.98 for the period ending December 23, 2009 for a total amount of \$2,558,942.46 having been paid, be accepted as presented.

MOTION CARRIED
Unanimous

7. Council:

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Richards

- Dec 17 - Town Office re: Council table.
- Dec 23 - Signed cheques at Town Office.
- Dec 24 - Meeting with RCMP.
- Staff luncheon and staff service awards.

(b) Councillor Bachman

- No meetings to report.

(c) Councillor Campbell

- Dec 17 - Town Office re: Council table.

(d) Councillor Dennis

- Dec 17 - Town Office re: Council table.
- Dec 19 - FCSS Christmas Party.

(e) Councillor Garbutt

- No meetings to report.

(f) Councillor Peeples

- No meetings to report.

(g) Councillor Thorogood

- Jan 4 - County Office to sign SDAA cheques and minutes.
- Jan 5 - Meeting with the new DTHR Health Trust Executive Director, Hugh Morrin and P. Hearonemus and K. Tuck.
- Various phone calls and meetings re: Attainable Housing.

8. **Minutes:**

(a) Trail of the Buffalo Tourism Association

Motion 10:01:10

Moved by Councillor Peeples that the Minutes, item 8(a) be accepted for information.

MOTION CARRIED
Unanimous

9. **Public Hearing:**

(a) None

10. **Bylaws:**

(a) None

11. **Correspondence:**

(a) Associated Engineering re: Construction Progress Memo

(b) How Smart Can Smart Phones Get?

Motion 10:01:11

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

MOTION CARRIED
Unanimous

12. **Items Added:**

(a) Attainable Housing Project

Councillor Thorogood reported that she has contacted a community in BC respecting this attainable housing concept proposed by Think³. Their response was very favorable.

She also reported that she has identified all registered charitable foundations in Stettler and believes that the local Rotary Club is likely the only charitable foundation that can accommodate receiving these donations and administering the grant applications.

Discussion ensued regarding whether it is appropriate for the Town to have representation on the applicant selection committee.

Assistant CAO G. Switenky will contact the Town's municipal legal firm Brownlee to identify if there are any legal/MGA implications. Also they will be meeting (via a conference call) with Think³ on Thursday, January 7, 2010 at 10:00 a.m. to help move this program along.

(b) County of Stettler - 2009 Municipal Sponsorship Program

CAO, R. Stoutenberg advised that the Town of Stettler is once again eligible for a Municipal Sponsorship Program (MSP) grant.

The Town is eligible to receive up to a maximum grant of \$80,581.84 for 2009 which is comprised of the following:

Base Grant eligibility, population 5843	\$44,215.00
Inter-municipal bonus @ 35% of base	<u>\$15,475.25</u>
Subtotal	<u>\$59,690.25</u>
Priority Bonus @ 35% of cumulative subtotal	<u>\$20,891.59</u>
Maximum Grant available in 2008	\$80,581.84
	(2008: \$90,914.40)

Municipal priority projects eligible for a 35% bonus (previously a 60% bonus in 2008) include:

- Energy Efficiency
- Infrastructure Management Systems
- Emergency Services
- Sustainability and Land Use Planning
- Water/Wastewater/Solid Waste Management Systems
- Recreation

The deadline for submissions is Friday January 15th, 2010.

In recent years the Town received two consecutive year allocations from regional municipalities supporting the construction of the Leisure Centre as follows:

- 2004 Joint MSP Grant **\$158,000**
- 2005 Joint MSP Grant **\$177,000**

In 2006 the Town agreed to support two consecutive year MSP applications for beneficial regional projects as determined by the County of Stettler. These were as follows:

- A joint MSP Grant of **\$218,414** in 2006 for Regional Emergency Services Communication Upgrades,
- A joint MSP Grant of **\$221,132** in 2007 for the Donalda/Red Willow Regional Fire Station.

In 2008 joint MSP funding in the amount of **\$230,437** was committed towards the Phase 2 maintenance and training addition at the Stettler Fire Hall.

The 2009 joint/priority MSP maximum amount available in cooperation with all area municipalities is estimated at approximately **\$190,000.**

The County of Stettler is requesting that all regional municipalities jointly designate their full 2009 MSP funding towards the purchase of a new fire apparatus for the County of Stettler Regional Fire Department in the Hamlet of Byemoor. Given the nature of this project it will qualify for the maximum amount of available inter-municipal and priority bonuses. The County of Stettler is prepared to act as the Managing Partner for the joint application process.

Other regional municipalities invited to participate include:

- Village of Big Valley
- Village of Donalda
- Village of Botha
- Village of Gadsby (usually do not participate)
- Summer Village of White Sands
- Summer Village of Rochon Sands

Motion 10:01:12

Moved by Councillor Dennis that the Town of Stettler, utilizing the sample resolution format as provided by Alberta Municipal Affairs in the 2009 Municipal Sponsorship Program Guidelines, approves the following:

1. Be it resolved that Council authorizes the Town of Stettler to participate in a Municipal Sponsorship Program grant application for the Purchase of a New Regional Fire Apparatus under the Alberta Municipal Affairs Municipal Sponsorship Program; further
2. That the Town of Stettler agrees that the County of Stettler No. 6 be designated the managing partner of the Purchase of a New Regional Fire Apparatus for the purposes of applying, receiving, administering, allocating, reporting and accounting for the grant funds on behalf of the partners; further
3. That the Town of Stettler agrees to allocate 100% percent of its Municipal Sponsorship Program base grant to the Upgrade of the Purchase of a New Regional Fire Apparatus; and further
4. That the Town of Stettler agrees to abide by the terms of the Conditional Grant Agreement signed by the managing partner on behalf of the other eligible municipal partners governing the purpose and use of the grant funds.

MOTION CARRIED
Unanimous

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

14. **Adjournment:**

Motion 10:01:13

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

MOTION CARRIED
Unanimous at 9:05 p.m.

Mayor

Assistant CAO