

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL  
HELD ON TUESDAY, JULY 19, 2005 IN THE MUNICIPAL OFFICE,  
COUNCIL CHAMBERS**

**Present:** Mayor J. Hunter  
  
Councillors S. Hurley, R. Peeples, D. Richards & L. Thorogood  
  
Town Manager R. Stoutenberg  
Director of Finance & Administration G. Switenky  
Director of Parks & Leisure Services L. Penner  
Manager, Marketing Corporation A. Willis  
  
Press (2)

**Absent:** Councillors A. Campbell & G. Majeran

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

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

**Motion 05:07:01** Moved by Councillor Thorogood to approve the agenda as presented.  
  
MOTION CARRIED  
Unanimous

3. **Confirmation of Minutes:**

(a) Minutes of the Regular Meeting of Council held July 5, 2005

**Motion 05:07:02** Moved by Councillor Peeples that the Minutes of the Regular Meeting of Council held on July 5, 2005 be approved with the following correction:

Motion 05:07:03 should read "MOTION CARRIED Unanimous with the abstention of Councillor Richards".

MOTION CARRIED  
Unanimous

(b) Business Arising from the July 5, 2005 Minutes

None

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

5. **Delegations:** (a) 6:35 P.M. – Bill Meade – Alberta Solicitor General  
and Public Security Office  
Re: Alberta Police and Peace Officer College

B. Meade, Assistant Deputy Minister, on loan to the Alberta Solicitor General and Public Security Office entered the meeting at 6:35 p.m.

B. Meade explained his role as Special Projects Manager and provided an overview of his priorities.

Alberta Solicitor General and Public Security intends to contract with a vendor for the purpose of developing a single site Police and Peace Officer College to deliver basic training and professional development in Alberta

A request for Expression of Interest (EOI) is the first step the Department is taking. The intent is to solicit ideas and review potential alternatives for the development of facilities. All potential private and public sector organizations and partners are encouraged to become involved with this process by responding to the request for EOI. Respondents will have the opportunity, through their submissions, to shape the development of the Request for Proposal (RFP) stage of this initiative.

Alberta Solicitor General and Public Security will review the responses to the EOI and may incorporate many of the ideas into the RFP. There will be no ranking because the EOI stage is not a competition. It is anticipated that the RFP will be released in September of 2005.

Discussion ensued regarding the benefits to be achieved, the projected number of recruits annually, logistical requirements to be addressed in an EOI report and submission deadlines.

Mayor Hunter thanked B. Meade and A. Willis for attending the Council meeting.

B. Meade and A. Willis departed the meeting at 7:02 p.m.

Council members mutually agreed that it was important to submit an EOI. A local working committee will be initiated to undertake the preparation of an EOI. Members will include: Councillor Thorogood and/or Mayor Hunter, Town Manager R. Stoutenberg, A. Willis, Manager, Marketing Corporation. Representation from the County of Stettler will be requested.

6. **Administration:** (a) 2005 Strategic Planning Goal #3, Downtown Streetscape Theme

Director of Parks & Leisure Services, L. Penner delivered a brief part of the "Main Street Presentation" that was developed to begin collecting thoughts and ideas from Stettler businesses and the public. The presentation has been made to various boards, committees and community organizations.

Town Manager R. Stoutenberg explained that Administration is recommending a process that will lead to an implementation plan for the further development of future enhancements in the downtown core.

Round table discussion ensued regarding the process as presented in the memo, specifically the Concept and Consultation Phases.

An open house in September, lead by staff, will help Council assess public expectation and the scope of the initiative to be undertaken.

**Motion 05:07:03**

Moved by Councilor Richards that Town of Stettler Council direct Administration to conduct an Open House in the early fall to gauge public support for a Main Street/Downtown Core streetscape theme, and to assess mutual areas of agreement respecting enhancement.

MOTION CARRIED  
Unanimous

L. Penner departed the meeting at 7:23 p.m.

(b) Memo re: Subdivision Report 2005-04 – Kneeland & Sons Construction Ltd.

Mayor Hunter declared a possible conflict of interest and excused himself from discussion and voting on this item.

Deputy Mayor, Councillor D. Richards assumed the Chair.

Town Manager, R. Stoutenberg explained that the purpose of the subdivision is to create two (2) ±3000 ft<sup>2</sup> residential lots for a future multi-family development that was approved by Municipal Planning Commission on April 8<sup>th</sup>, 2005. Each parcel will house one half of the proposed duplex as per Development Permit #1921-2005. The property is located on the SW corner of 46<sup>th</sup> Street and 50<sup>th</sup> Avenue.

**MOTION 05:07:04**

Moved by Councilor Peeples that Subdivision 2005-04 to create two (2) parcels as shown on the Tentative Plan of Subdivision 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 landowners(s) submissions, that the application be approved 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 policies of the *Municipal Development Plan*.
3. There are no major development constraints.
4. No Municipal Reserves owing, and

In accordance with *Sections 654 and 655 of the Municipal Government Act*, the application is approved 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 developer enters into a development agreement with respect to the provisions under *Sec 655 of the Municipal Government Act Revised Statutes of Alberta, 2000 Chapter M-26* with and to the satisfaction of the *Town of Stettler*.
3. That the developer supplies an individual water & 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 with the abstention of  
Mayor Hunter

Mayor Hunter resumed the Chair.

(c) Memo re: Subdivision Report 2005-07 – Echo Ridge Homes

Town Manager, R. Stoutenberg explained that the purpose of the subdivision is to create two (2) residential lots of ±3982 ft<sup>2</sup> and ±5000 ft<sup>2</sup> for a future multi-family seniors' development that was approved by Municipal Planning Commission on April 8<sup>th</sup>, 2005. Each parcel will house one half of the proposed duplex as per Development Permit #1914-2005. The property is located mid block on the west side of 49<sup>th</sup> street between 48<sup>th</sup> and 49<sup>th</sup> Avenues.

**Motion 05:07:05**

Moved by Councilor Hurley that Subdivision 2005-07 to create two (2) parcels as shown on the Tentative Plan of Subdivision 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 landowners(s) submissions, that the application be approved 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 policies of the *Municipal Development Plan*.
3. There are no major development constraints.
4. That Municipal Reserve is not owing, and

In accordance with *Sections 654 and 655 of the Municipal Government Act*, the application is approved 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 developer enters into a development agreement with respect to the provisions under *Sec 655 of the Municipal Government Act Revised Statutes of Alberta, 2000 Chapter M-26* with and to the satisfaction of the *Town of Stettler*.
3. That the developer supplies an individual water & sanitary service to each parcel created as per *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) Memo re: Subdivision Report 2005-11 – Canalta Real Estate Ltd.

Town Manager, R. Stoutenberg explained that the purpose of the subdivision is to create four (4) ±.800 ha highway commercial lots with internal roads along the westerly corridor of Highway 12 on the South side. The property is located directly east of Wal-Mart and is abutting the north boundary of West Stettler Park.

Discussion ensued regarding the conditions being recommended. Town Manager, R. Stoutenberg informed Council that the staff recommendation should be amended to include the condition to provide an appropriate level of Municipal Reserves or cash in lieu.

**Motion 05:07:06**

Moved by Councilor Thorogood that Subdivision 2005-11 to create four (4) parcels with internal roads as shown on the Tentative Plan of Subdivision 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 landowners(s) submissions, the application be approved 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 policies of the *Municipal Development Plan*.
3. The subject land has the appropriate long term land use;
4. There are no major development constraints.
5. *Municipal Reserves* are owing, and

In accordance with *Sections 654 and 655 of the Municipal Government Act*, the application is approved 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 developer enters into a development agreement with respect to the provisions under Sec 655 of the *Municipal Government Act Revised Statutes of Alberta, 2000 Chapter M-26* with and to the satisfaction of the Town of Stettler.
3. That the developer incorporate and construct a pedestrian segment (pathway) so as to provide access to the north side of *Highway 12* from *West Stettler Park*, with and to the satisfaction of the *Town of Stettler*.
4. That written approval is received in regards to *Highway 12* access/use by *Alberta Infrastructure & Transportation*.
5. That any outstanding property taxes on the land being subdivided are paid or satisfactory arrangements made thereto the *Town of Stettler*.
6. *Municipal Reserves* or money in place of *Municipal Reserves* are paid as required or satisfactory arrangements made thereto the *Town of Stettler*.

MOTION CARRIED  
Unanimous

(e) Memo re: Land Use Proposal – DCT1

Mayor Hunter declared a possible conflict of interest and excused himself from discussion and voting on this item.

Deputy Mayor, Councillor D. Richards assumed the Chair.

Town Manager, R. Stoutenberg explained that correspondence was received from a property owner requesting a proposed land use for Lots 1A & 2A, Block 48, Plan 2359RS (municipal address: 4910 – 50<sup>th</sup> Avenue). The owner is proposing to use the property for a mobile home park or subdivision.

The property's currently designated DCT1 – Direct Control Transitional District and there are purposely no permitted or discretionary uses defined in the Land Use Bylaw. Therefore, Town Council by resolution, must approve permitted land uses on an individual basis; as being appropriate for a transitional zone.

The owner has subsequently informed the Town Manager that a commercial building with residential above is also being considered.

Town Manager R. Stoutenberg would like to provide the owner with some guidance regarding Council's tolerances for appropriate transitional uses. However, the owner remains responsible to submit a formal development application for Council's consideration.

Discussion ensued regarding types of acceptable transitional uses. Town Manager, R. Stoutenberg will inform the property owners of their responsibilities and Council's reservations regarding the pre-consideration of uses without a formal development application.

(f) Memo re: Subdivision Report - 5-25 – Village of Botha

Mayor Hunter declared a possible conflict of interest and excused himself from discussion and voting on this item.

Deputy Mayor, Councillor D. Richards continued to assume the Chair.

Town Manager, R. Stoutenberg explained that Stettler Town Council is the Subdivision Approving Authority for the Village of Botha. The purpose of the subdivision is to create two (2) large lot areas for a future residential subdivision along the north side of Railway Avenue. The Village of Botha is the applicant and this subdivision is a step towards the Village acquiring the property from the current owner: Central Western Railway Corp.

The Village of Botha Council and Administration are supportive of the Tentative Plan of Proposed Subdivision.

**Motion 05:07:07**

Moved by Councilor Hurley that the Village of Botha Subdivision #5-25 to create two (2) parcels along the north side of Railway Avenue as shown on the Tentative Plan of Subdivision 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 landowners(s) submissions, that the application be approved 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 policies of the *Municipal Development Plan*.
3. There are no major development constraints.
4. That Municipal Reserves are to be deferred until future subdivision, and

In accordance with *Sections 654 and 655 of the Municipal Government Act*, the application is approved 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 developer enters into a development agreement with respect to the provisions under Sec 655 of the *Municipal Government Act Revised Statutes of Alberta, 2000 Chapter M-26* with and to the satisfaction of the Village of Botha.

3. That the Village of Botha register development constraints by way of *Caveat* regarding easements in favor of Central Western Railway Corporation as shown on Tentative Plan of Subdivision.
4. That any outstanding property taxes on the land being subdivided are paid or satisfactory arrangements made thereto the *Village of Botha*.
5. That deferment of Municipal Reserves owing be registered upon title by way of caveat.
6. That the subdivision authority obtain written approval by the 'Land Owner' permitting Bemoco Land Surveying Ltd c/o the Village of Botha to act on their behalf regarding subdivision application.

MOTION CARRIED  
Unanimous with the abstention of  
Mayor Hunter

Mayor Hunter resumed the Chair.

(g) Demolition Tax Refund – Roll No. 422600000

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 05:07:08**

Moved by Councilor Richards that the Town of Stettler Council approve a pro-rated property tax refund for Tax Roll #422600000 in the amount of \$130.58 as per Section 347 of the *Municipal Government Act*.

MOTION CARRIED  
Unanimous

(h) Memo re: Taxes Receivable at June 30, 2005

Director of Finance & Administration, G. Switenky reviewed the Memo. The Town considers 96.11% of the 2005 Tax Levy collected at June 30<sup>th</sup>, 2005. This compares to 95.74% in 2004.

**Motion 05:07:09**

Moved by Councilor Hurley that the Town of Stettler Council accept the comparative analysis of taxes receivable at June 30<sup>th</sup>, 2005 for information.

MOTION CARRIED  
Unanimous

(i) Memo re: Tax Public Auction Date

Director of Finance & Administration, G. Switenky informed Council that the *Municipal Government Act* prescribes a detailed process that must be strictly followed by a municipality prior to a property being sold at the public auction.

**Motion 05:07:10**

Moved by Councilor Thorogood that the Town of Stettler Council set the 2005 Tax Public Auction date as September 26, 2005 and approve using the 2005 assessment values as the reserve bids for all 2005 tax sale properties and that the terms of the sale be cash or certified cheque.

MOTION CARRIED  
Unanimous

- (j) Memo re: Tax Public Auction Date for Designated Manufactured Homes

Director of Finance & Administration, G. Switenky informed Council that the *Municipal Government Act* prescribes a detailed process that must be strictly followed by a municipality prior to a manufactured home being sold at the public auction.

**Motion 05:07:11**

Moved by Councilor Peeples that the Town of Stettler Council set the 2005 Tax Public Auction date as September 26, 2005 and approve using the 2005 assessment values as the reserve bids for all designated manufactured home Tax Public Auction properties and that the terms of the sale be cash or certified cheque.

MOTION CARRIED  
Unanimous

- (k) Assessment Review Board

Director of Finance & Administration, G. Switenky informed Council that three assessment complaints (appeals) have been received. The *Municipal Government Act* and Town Bylaw 1848-02 require the Clerk of the Assessment Review Board to set the date, time and location for a hearing. Council was reminded that a taxpayer can withdraw a complaint prior to the hearing.

**Motion 05:07:12**

Moved by Councilor Hurley that the Town of Stettler Council ratify the date for the 2005 Assessment Review Board Hearing being Tuesday September 6<sup>th</sup>, 2005 at 3:30 p.m. in the Town of Stettler Council Chambers.

MOTION CARRIED  
Unanimous

- (l) August Newsletter Items  
- Back to School  
- Terry Fox Run – September 18  
- New Kindergarten Program  
- Heartland Arts Troupe Society – September 15 - 17  
- Water Smart Program  
- Grandparents Day - September 11  
- The "World Famous" Lipizzaner Stallions – August 11

- (m) Update re: Leisure Centre

Town Manager, R. Stoutenberg informed Council that the project costs are substantially on target at this point.

- (n) Bank Reconciliation as of June 30, 2005

**Motion 05:07:13**

Moved by Councillor Thorogood that the Bank Reconciliation as of June 30, 2005 be accepted as presented.

MOTION CARRIED  
Unanimous

- (o) Statement of Revenue & Expenses as of June 30, 2005

**Motion 05:07:14**

Moved by Councilor Peeples that the Statement of Revenue & Expenses as of June 30, 2005 be accepted as presented.

MOTION CARRIED  
Unanimous



(p) Statement of Capital Activity as of June 30, 2005

**Motion 05:07:15**

Moved by Councillor Richards that the Statement of Capital Activity as of June 30, 2005 be accepted as presented.

MOTION CARRIED  
Unanimous

(q) Accounts Payable in the amount of \$548,219.77

**Motion 05:07:16**

Moved by Councillor Richards that Accounts Payable for the period ending July 14, 2005 in the amount of \$548,219.77 having been paid, be accepted as presented.

MOTION CARRIED  
Unanimous

7. **Council:**

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Hunter

- July 7 – Marketing Corporation & Lunch with BCEC
- July 8 – Town Office
- July 15 – Town Office

(b) Councillor Campbell

- No report – absent from meeting

(c) Councillor Hurley

- July 13 – Ambulance Board
- July 14 – Centennial Committee

(d) Councillor Majeran

- No report – absent from meeting

(e) Councillor Peebles

- July 13 – Municipal Planning Commission
- July 18 – Museum Meeting

(f) Councillor Richards

- July 13 – Municipal Planning Commission  
& Ambulance Board

(g) Councillor Thorogood

- July 7 – Marketing Corporation
- July 13 – Municipal Planning Commission

8. **Minutes:**

(a) Centennial Celebration Meetings of June 30 & July 6, 2005

(b) Town & Country Museum Meeting of May 16, 2005

(c) Heartland Youth Centre Board Meeting of June 13, 2005

(d) Stettler Ag. Society Meeting of June 15, 2005

(e) Marketing Corporation – July 7, 2005

(f) Municipal Planning Commission – July 13, 2005

**Motion 05:07:17**

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

MOTION CARRIED  
Unanimous

9. **Public Hearing:**

(a) 8:10 P.M. - Bylaw 1915-05 – Amend Land Use Bylaw

Mayor Hunter declared the Public Hearing for Bylaw 1915-05 open at 8:10 p.m.

Present:

Mayor J. Hunter  
Councillors S. Hurley, R. Peeples, L. Thorogood &  
D. Richards  
Town Manager, R. Stoutenberg  
Director of Finance & Administration, G. Switenky

Public (0)  
Press (2)

Bylaw 1915-05

Mayor Hunter explained that Bylaw 1915-05 is to amend Land Use Bylaw 1797-98 as follows:

That the south ±105.82m of Lot 9 Block C Plan 042 4667 be re-designated from "R1" Low Density Residential District to "C2" Highway Commercial District.

For clarification purposes, the property is abutting the north boundary of West Stettler Park and is directly east of Wal-Mart.

The purpose of the land use re-designation (rezoning) is to accommodate a hotel development.

The Town provided notice of the public hearing in accordance with the requirements of the *Municipal Government Act*.

Town Manager R. Stoutenberg informed Council that he is aware that staff received a call from a member of the public expressing an opinion; however no written submissions have been received for or against Bylaw 1915-05.

No public were present, and there were no other representations heard or made.

Mayor Hunter declared the Public Hearing closed for Bylaws 1915-05 at 8:13 p.m.

Mayor Hunter, with the concurrence of Council, varied the order of the Agenda to consider Item 10(a) at this time.

10. **Bylaws:**

(a) Bylaw 1915-05 – Amend Land Use Bylaw

**Motion 05:07:18**

Moved by Councillor Thorogood that the Town of Stettler Council give second reading to Bylaw 1915-05.

MOTION CARRIED  
Unanimous

**Motion 05:07:19**

Moved by Councillor Peeples that the Town of Stettler Council give third and final reading to Bylaw 1915-05.

MOTION CARRIED  
Unanimous

9. **Public Hearing:** (b) 8:13 P.M. - Bylaw 1916-05 – Amend Land Use Bylaw

Mayor Hunter declared the Public Hearing for Bylaw 1916-05 open at 8:13 p.m.

Present:

Mayor J. Hunter  
Councillors S. Hurley, R. Peeples, L. Thorogood &  
D. Richards  
Town Manager, R. Stoutenberg  
Director of Finance & Administration, G. Switenky

Public (0)  
Press (2)

Bylaw 1916-05

Mayor Hunter explained that Bylaw 1916-05 is to amend Land Use Bylaw 1797-98 as follows:

That the south ±105.82m of Lot(s) B, Plan 193KS & Lot(s) 1, Block C, Plan 802 0403 be re-designated from "R1" Low Density Residential District to "R2" General Residential District.

For clarification purposes, the property is abutting the north boundary of West Stettler Park and lies directly east of the property in the previous motion (Bylaw 1915-05 proposed hotel development).

The purpose of the land use re-designation (rezoning) is to accommodate a multi-residential development.

The Town provided notice of the public hearing in accordance with the requirements of the *Municipal*.

Town Manager R. Stoutenberg informed Council that he is not aware of any calls from the public and no written or verbal submissions have been received for or against Bylaw 1916-05.

No public were present, and there were no other representations heard or made.

Mayor Hunter declared the Public Hearing closed for Bylaws 1916-05 at 8:14 p.m.

Mayor Hunter reconvened the regular Council Meeting at 8:14 p.m.

10. **Bylaws:** (b) Bylaw 1916-05 – Amend Land Use Bylaw

**Motion 05:07:20**

Moved by Councillor Hurley that the Town of Stettler Council give second reading to Bylaw 1916-05.

MOTION CARRIED  
Unanimous

**Motion 05:07:21**

Moved by Councillor Richards that the Town of Stettler Council give third and final reading to Bylaw 1916-05.

MOTION CARRIED  
Unanimous

11. **Correspondence:**
- (a) Alberta Spirit – The Party of the Century – Centennial Time Capsule
  - (b) Trail Notes/Trail of the Buffalo
  - (c) Shirley McClellan, Deputy Premier & Minister MLA Drumheller-Stettler – re: Rural Policing
  - (d) Rob Renner, Minister of Municipal Affairs, Minister's Award for Municipal Excellence

**Motion 05:07:22**

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

MOTION CARRIED  
Unanimous

12. **Additions:** (a) None
13. **In-Camera Session:** (a) None
14. **Adjournment:**

**Motion 05:07:23**

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

MOTION CARRIED  
Unanimous at 8:25 p.m.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Director of Finance & Administration