

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL
HELD ON TUESDAY, JULY 6, 2010 IN THE MUNICIPAL OFFICE,
COUNCIL CHAMBERS**

Present:

Mayor Dick Richards

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

Assistant CAO G. Switenky
Corporate Secretary C. Smith

Press (2)

Absent:

CAO R. Stoutenberg & Councillor D. Garbutt

Call to Order:

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

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

Motion 10:07:01

Moved by Councillor Campbell to approve the agenda as presented with the following addition:

12(a) 2010 Drumheller – Stettler Open

MOTION CARRIED
Unanimous

3. **Confirmation of Minutes:**

(a) Minutes of the Regular Meeting of Council held June 15, 2010

Motion 10:07:02

Moved by Councillor Thorogood that the Minutes of the Regular Meeting of Council held on June 15, 2010 be approved as presented.

MOTION CARRIED
Unanimous

(b) Business Arising from the June 15, 2010 Meeting Minutes

Airport Fuel Tank Replacement

Discussion ensued regarding the option to replace just the fuel tank at \$30,000 or the tank plus a card lock system estimated to cost in the \$70,000 range?

It was stated that there would be additional annual operating costs associated with a (more user friendly) card lock system and Airport Committee Members do not feel there is enough sales volume to warrant this level of expenditure.

Administration will continue to work with Airport Committee Members, and will inquire/request funding assistance from the County.

It was noted that there is a used fuel tank for sale in Castor at the UFA that would be appropriate for the airport. Councillor Dennis will inform appropriate Airport Committee Members of this option for further investigation.

(c) Minutes of the Joint Town/County Meeting held June 21, 2010

Motion 10:07:03

Moved by Councillor Thorogood that the Minutes of the Joint Town/County Meeting held on June 21, 2010 be approved as amended as follows:

Page 2 – Last paragraph to read: “It was decided that the County of Stettler will investigate applying soil cement to the road to see if pavement can be applied on top of the soil cement. Upon determination, Administration will bring back recommendations for Council’s consideration.

MOTION CARRIED
Unanimous

(d) Business Arising from the June 21, 2010 Joint Town/County Meeting Minutes

None

4. Citizen’s Forum:

(a) No one was present at the Citizen’s Forum

5. Delegations:

(a) None

6. Administration:

(a) Memo re: 2010 Municipal Election

Assistant CAO G. Switenky explained that the 2010 Municipal Election will be held on October 18, 2010. Council has previously identified the following items in the Town of Stettler’s Municipal Sustainability Plan:

- Mayor/Councillors to host a “come and go” session on September 7, 8 or 9 at 7:00 p.m. at the SRC prior to municipal Nomination Day (September 20, 2010).

- Use of newspaper and radio media from September 1–15 to promote Council and public committees. Possible questions for residents considering candidacy for Council:

- a. What is the composition of Stettler Town Council and the voting responsibility?
- b. How many typical meetings are there on an annual basis?
- c. What is the difference between the roll of Town Council and Administration?
- d. Are elected positions on Council considered full-time jobs?
- e. Do members of Council receive any remuneration/salary?
- f. What is the general Term of Office?
- g. Are there any qualifications necessary to be nominated for Town Council?
- h. Once elected can a member of Council become disqualified for holding office?
- i. Other?

- Engage the Youth through the schools
- Promote civic responsibility through the Middle & High Schools in early September.

- Council Candidates to be offered an opportunity to make a campaign video to post outlining their campaigns (September 21-24).

- High School to possibly host a candidate forum.

Discussion ensued respecting various initiatives to engage the community and create public awareness of the upcoming 2010 Election in October.

Mayor Richards concluded that Town Council mutually supports the implementation of initiatives, as substantively presented, intended to engage and create public awareness for the upcoming Municipal Election on October 18, 2010.

(b) Memo re: Council Remuneration Expenses

Assistant CAO, G. Switenky advised Council that the Council Remuneration Survey as presented is intended for comparative review purposes only. He reminded Council that it is the Town's policy to review the Council Remuneration Policy prior to the general election every three years.

Mayor Richards explained that no decision would need to be made tonight (July 6), but the survey is here for Council's information. It was mutually agreed that consideration of the Council Remuneration Policy be brought forward to the July 20, 2010 Council Meeting for further discussion.

Discussion ensued respecting the following:

- a. Incorporating a cost of living increase annually.
- b. Potential for meeting attendance payments for both elected officials and for appointed volunteers at large.
- c. Expanding the AD&D to 24 hour coverage.
- d. Remuneration increases for Members of Council based on survey responses, and whether a Councillor's basic remuneration should remain at 75% of the Mayor's basic remuneration.

(c) Memo re: 2010 Sidewalk Repair Program

Assistant CAO G. Switenky reviewed the memorandum regarding the 2010 Sidewalk Repair Program. The following three tenders were received:

| | |
|--------------------------------------|--------------|
| - J. Branco & Sons Concrete Services | \$76,804.30 |
| - Proform Concrete Services | \$85,953.00 |
| - Midoram Concrete Construction Ltd. | \$108,320.00 |

It was noted that these prices do not include GST and that the Town's capital budget is \$125,000.

Administration is recommending awarding the tender to the low bid of \$76,804.30 from J. Branco & Sons Concrete Services. It was noted that the Town will be able to add to the scope of the work (additional/necessary locations) up to the budget allocation.

Motion 10:07:04

Moved by Councillor Thorogood that the Town of Stettler Council award the 2010 Sidewalk Repair Program to J. Branco & Sons Concrete Services at a cost of \$76,804.30 plus GST. And further authorizes Administration the flexibility to add to the scope of the work within the 2010 approved budget allocation.

MOTION CARRIED
Unanimous

(d) Request for Decision re: County of Stettler Bylaws 1440-10 & 1441-10

Assistant CAO G. Switenky informed Council that the County of Stettler has served notice to the Town that it is proposing to adopt Land Use Bylaw Amendments. Council has previously discussed this matter fully and has resolved to object against these proposed amendments.

The memorandum from the Town's planning department was reviewed. Administration advises that if a municipality (Town of Stettler) has an objection that a statutory plan or amendment or a land use bylaw or amendment proposed to be adopted by an adjacent municipality (County of Stettler) has or may have a detrimental effect on it, the municipality (Town of Stettler) must, prior to the second reading of the proposed bylaw, give notice of its objections to adjacent municipality (County of Stettler).

Once a notice of objection is duly served, the municipality (Town of Stettler) will protect its right to file an appeal to the Municipal Government Board, if necessary.

James Nibourg proposes to purchase property from Gary Fedick to construct an automobile recycling and salvage yard, along with an accompanying commercial business at the NE 9-39-19-W4, located ½ mile north of the Town of Stettler Corporate Limits fronting directly along Highway 56.

The proposal falls within the "Plan Area" of the Inter-municipal Development Plan, and subject to the following policy provisions:

Location

1. The proposed development falls outside of the Town's Short and Long Term Growth Area; and
2. The proposed development falls outside of the County's Growth Area.
3. The proposed development is adjacent to the northern "highway gateway" to the Town of Stettler.

Through Bylaw 1440-10, the County intends on creating a Direct Control District specific to the "James Nibourg" operation, and has placed strict operating conditions within the district regulations. Through Bylaw 1441-10, the County intends on rezoning a 10 acre portion of land adjacent to Highway 56 (1/2 mile north of the Town boundary), to this newly created district. Through the use of a direct control designation, there would be no appeals available concerning the issuance of a development permit.

The Town has previously communicated to the County of Stettler its objections to the proposed use/development at this location however to date it has not given its objection(s) in accordance with the *Municipal Government Act*.

If this development is permitted, un-serviced developments may continually occur outside of the Town and County Growth Areas. Furthermore, the intended use is an auto recycler, which isn't a desirable use on a highway entrance into a community.

Administration has concerns that this application will encourage others to seek out lower cost lands along the highway, and further erode development potential in established growth areas (effectively leaping over the designated growth areas). This, in turn, will reduce the effectiveness of the inter-municipal development plan.

Administration prefers that this use be relocated outside of the Plan Area, or at a minimum away from Highway 56, preferably east of the tracks at or near the same quarter section. County staff has placed strict operating conditions on this application, however Bylaw 1440-10 does not specifically require security, which may be a critical requirement to ensure compliance with the operating conditions.

Administration has assessed these bylaws against the provisions outlined in the Town of Stettler and County of Stettler No. 6 Inter-municipal Development Plan. Four key policies have been identified respecting these bylaws:

1. Section 4.1.2.2 of the IDP states that "It is agreed that although the Town is not opposed to **non-agricultural** development occurring outside of the designated County Growth Area, for the purpose of good planning within the timeframe of the IDP, mixed business development and residential development within the County's jurisdiction and within the IDP area **shall occur only in the designated County Growth Area, unless otherwise agreed to by the two municipalities**".
2. Section 4.1.2.3 of the IDP states that "Those remaining **lands** within the County's jurisdiction and within the IDP **that are not within the designated County growth area will continue to accommodate agricultural development** and subdivision of single parcels for agricultural use under the provisions of the County's Municipal Development Plan and Land Use Bylaw".
3. Section 4.9.2.1 of the IDP states that "The **Town and County will develop a joint "design guidelines"** document for mixed business development at the highway gateways within the IDP area".
4. Section 4.9.2.2 of the IDP states that "Each municipality will ensure that **development on lands adjacent to the highway gateways comply with the design guidelines**".

Discussion ensued respecting various concerns identified in the memorandum.

Mayor Richards concluded and informed Council that that he will sign a letter from the Town of Stettler (draft copy included in the agenda package) for delivery to the County of Stettler the following morning. This letter formally communicates the Town's objection to Bylaws 1440-10 and 1441-10, as the intended use of the lands is not in accordance with policies contained within the Inter-municipal Development Plan.

Mayor Richards advised that he would be attending the County of Stettler's Public Hearing on July 6, 2010 at 1:00 p.m. respecting Bylaws 1440-10 & 1441-10.

(e) Request for Input by July 8th – Assistant CAO Annual Appraisal

Mayor Richards requested input from Council Members be provided to CAO R. Stoutenberg by July 8th, 2010 for the Assistant CAO's annual appraisal.

(f) CAO Report

Motion 10:07:05

Moved by Councillor Bachman that the Town of Stettler Council accept the CAO Report as presented.

MOTION CARRIED
Unanimous

(g) Accounts Payable in the amount of \$4,386,379.69

Motion 10:07:06

Moved by Councillor Dennis that Accounts Payable in the amounts of \$3,751,574.62, \$228,227.41, \$10,457.50, \$396,277.78 and \$38.63 (VOIDED) & \$118.99 (VOIDED) for the period ending July 2, 2010 for a total amount of \$4,386,379.69 having been paid, be accepted as presented.

MOTION CARRIED
Unanimous

7. **Council:**

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Richards

- June 16 - Mayor's Conference in Calgary.
& 17
- June 18 - Brought Greetings at the Relay for Life.
- Town Office duties.
- June 21 - Joint Town/County Meeting.
- June 24 - Town Office duties.
- June 28 - SRC Design Meeting.
- June 29 - Prairie Bio Gas Meeting.
- July 1 - Canada Day Celebrations.
- July 2 - Town Office duties.
- July 5 - Photo with Canadian Natural Resources re:
Sports Park Donation.
- Rotary Farmer's Appreciation Night.

(b) Councillor Bachman

- June 6 - Bio Energy Meeting in Red Deer.
- June 17 - Stettler Library Meeting.
- June 21 - Joint Town/County Meeting.
- June 29 - Prairie Bio Gas Meeting.
- July 5 - Rotary Farmer's Appreciation Night.

(c) Councillor Campbell

- June 18 - Stettler Waste Management Meeting.
- June 21 - Joint Town/County Meeting.
- June 29 - Prairie Bio Gas Meeting.
- July 1 - Canada Day Celebrations.
- July 2 - Ponoka Parade.
- July 5 - Rotary Farmer's Appreciation Night.

(d) Councillor Dennis

- June 18 - Stettler Waste Management Meeting.
- June 21 - Joint Town/County Meeting.
- June 29 - County Housing Authority Meeting.
 - Prairie Bio Gas Meeting.

(e) Councillor Garbutt

- No report – absent from meeting.

(f) Councillor Peeples

- June 18 - Regional Fire Department Meeting at the new Fire Hall in Donalda.
- June 21 - Joint Town/County Meeting.
- June 24 - Red Deer River Watershed Alliance Meeting in Red Deer.
- July 5 - Rotary Farmer's Appreciation Night.

(g) Councillor Thorogood

- June 15 - Stettler Health Services Foundation Representative at the Stormhold Golf Tournament.
- June 16 - Health Advisory Council in Red Deer.
- June 17 - DTHR Trust Meeting in Red Deer.
- June 21 - Joint Town/County Meeting.
- June 30 - Health Advisory Council Conference Call.

8. **Minutes:**

(a) Boomtown Trail Meeting of May 31, 2010

(b) Stettler Public Library Meeting of April 15, 2010

Motion 10:07:07

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

MOTION CARRIED
Unanimous

9. **Public Hearing:**

(a) None

10. **Bylaws:**

(a) 1997-10 re: Borrowing Bylaw – Water Treatment Plant

Assistant CAO G. Switenky explained that Bylaw 1997-10 is to incur capital indebtedness by the issuance of short-term borrowing in the amount of up to up to Five Million Dollars (\$5,000,000) for the purpose of securing interim (short term) financing for the upgrading of the Water Treatment Plant.

He noted further that this indebtedness will be repaid upon receipt of the balance of provincial funding (10% withheld until completion) and receipt of long term borrowing proceeds as previously approved by Bylaw 1970-08.

It was noted that the *Municipal Government Act* does not require that interim financing bylaws be advertised.

Motion 10:07:08

Moved by Councillor Thorogood that the Town of Stettler Council give first reading to Bylaw 1997-10.

MOTION CARRIED
Unanimous

Motion 10:07:09

Moved by Councillor Campbell that the Town of Stettler Council give second reading to Bylaw 1997-10.

MOTION CARRIED
Unanimous

Motion 10:07:10

Moved by Councillor Bachman that the Town of Stettler Council give permission for third and final reading to Bylaw 1997-10.

MOTION CARRIED
Unanimous

Motion 10:07:11

Moved by Councillor Dennis that the Town of Stettler Council give third and final reading to Bylaw 1997-10.

MOTION CARRIED
Unanimous

(b) Bylaw 1998-10 re: Borrowing Bylaw – Wastewater Treatment Facility

Assistant CAO G. Switenky explained that Bylaw 1998-10 is to incur long term capital indebtedness by the issuance of debenture(s) in the amount of up to Six Hundred and Eighty Nine Thousand Eight Hundred and Forty Seven Dollars (\$689,847) for the purpose of upgrading of the Wastewater Treatment Facility.

He noted further that this project is 2/3rds funded by Stimulus grant funding, and that the Town's 1/3rd share will be borrowed and repaid from future sewer utility rate revenues.

After first reading this bylaw will be advertised for two weeks before second and third reading.

Motion 10:07:12

Moved by Councillor Peeples that the Town of Stettler Council give first reading to Bylaw 1998-10.

MOTION CARRIED
Unanimous

11. **Correspondence:**

(a) Community Investment Readiness Strategic Action Plan

Town Council reviewed the results of the Central Alberta Economic Partnership (CAEP) Community Investment Readiness Strategic Action Plan.

(b) Final Proposed Electoral Division Areas, Boundaries and Names for Alberta

Assistant CAO, G. Switenky explained that the Alberta Electoral Boundaries Commission has taken the Town of Stettler's (and others) concerns/input into consideration and has expanded the previous division/riding to now include the County of Paintearth.

Motion 10:07:13

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

MOTION CARRIED
Unanimous

12. **Items Added:** (a) 2010 Drumheller – Stettler Open

Assistant CAO, G. Switenky advised that the 2010 Drumheller – Stettler Open Golf Tournament will be held at the Pheasant Back Golf Course on Thursday, July 22, 2010.

Mayor Richards will coordinate the entry of a team.

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

14. **Adjournment:**

Motion 10:07:14

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

MOTION CARRIED
Unanimous at 8:06 p.m.

Mayor

Assistant CAO