

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL
HELD ON TUESDAY, JUNE 7, 2011 IN THE MUNICIPAL OFFICE,
COUNCIL CHAMBERS**

Present: Mayor Dick Richards

Councillors D. Bachman, A. Campbell, L. Thorogood &
S. Wildeboer

CAO R. Stoutenberg
Assistant CAO G. Switenky

Press (1)

Absent: Councillors M. Fischer & P. Simons

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

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

Motion 11:06:01 Moved by Councillor Bachman to approve the agenda as presented with the following addition:

12(a) East Stettler Playground Fencing

MOTION CARRIED
Unanimous

3. **Confirmation of Minutes:**

(a) Minutes of the Regular Meeting of Council held May 16, 2011

Motion 11:06:02 Moved by Councillor Campbell that the Minutes of the Regular Meeting of Council held on May 16, 2011 be approved as amended subject to the following amendment:

Council Reports – Councillor Thorogood had no report, however was not absent as she attended the meeting via teleconference.

MOTION CARRIED
Unanimous

(b) Business Arising from the May 16, 2011 Meeting Minutes

It was noted that the Performing Arts Centre (PAC) Advisory Board's request for funding item that was tabled at the last meeting in May (to the meeting tonight) has been removed from this meeting agenda because further information is necessary. It has been deferred to the second meeting in June.

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

5. **Delegations:** (a) 7:15 P.M. – Lee Penner, Director of Parks & Leisure Services and Gerry Little, Parks & Leisure Services Foreman Memo re: Cemetery Protocol

This item was dealt with later in the meeting.

6. **Administration:**

(a) Memo re: WTP Grand Opening Itinerary

CAO, R. Stoutenberg explained the schedule of events for the WTP Grand Opening on June 9, 2011 from 10:00 am to 1:00 pm and for the general public at 1:30 pm (and 3:00 pm if necessary).

(b) Memo re: Recommendation to Cancel Summer Committee Meetings

CAO R. Stoutenberg advised that traditionally the July and August Committee of the Whole Meetings have been cancelled due to a lower work load over the summer. A special meeting may be called, if necessary to deal with any emergent issue(s).

Motion 11:06:03

Moved by Councillor Thorogood that the Town of Stettler Council cancel the July and August Committee of the Whole Meetings.

MOTION CARRIED
Unanimous

(c) Memo re: 2011 Sanitary Sewer Main Replacement Tender

Council reviewed the memorandum from Director of Operational Services, M. Robbins regarding the 2011 Sanitary Sewer Main Replacement Tender.

CAO, R. Stoutenberg highlighted the approved Capital Budget items as follows:

- 55 Street Lane Sanitary Replacement Budget amount - \$300,000
 - 51 Avenue from 55-56 Street Sanitary Main Replacement Budget - \$75,000
- Total Approved Budget for both projects \$375,000**
Estimated Engineering Costs \$45,000 (included in the Capital Budget amounts)

CAO, R. Stoutenberg further explained that tenders include GST, 10% Contingency and several provisional items, and that four tenders were received by Tagish Engineering on May 17, 2011 as follows:

- | | |
|-----------------------------|--------------|
| • Wally's Backhoe Service | \$395,301.90 |
| • Grayson Excavating Ltd. | \$544,286.93 |
| • AA Trenching | \$553,130.32 |
| • Pidherney's Trucking Ltd. | \$693,573.48 |

CAO, R. Stoutenberg further explained that it is very likely that the actual construction costs may be as low as \$327,900, which would complete the project including engineering under budget. However, provisional items have been included as the ground is expected to be saturated and that the soil is mainly sand that will cave in during installation, making construction difficult. The location of the existing gas main will also make this a dangerous and complicated installation.

Administration understood when this project was tendered that construction would be very complex and time consuming and thought that the Town had allowed enough budget to complete the work. Based on the tender prices received this was a valid concern, however the Town could not foresee tender amounts with extreme amounts of risk built into the pricing.

Administration respectfully recommends that Council award the 2011 Sanitary Main Replacements Tender to Wally's Backhoe Service and further approves an additional \$47,000 in funding to complete this work as designed.

Administration will be diligent in ensuring that cost expenditures remain as stringent as possible during construction.

Motion 11:06:04

Moved by Councillor Campbell that the Town of Stettler Council award the 2011 Sanitary Sewer Main Replacement Tender to Wally's Backhoe Service in the amount of \$395,301.90 (tax in) and approves an additional \$47,000 from available grant sources in the 2011 Capital Budget to complete this work as designed.

MOTION CARRIED
Unanimous

(d) Request for Subdivision 2011-03

CAO, R. Stoutenberg advised that the applicant (Town of Stettler) is proposing to subdivide Railway Right-of-Way Plan 720EO and consolidate with Plan 925X, Lots 6-11, Block 23 and Lot 4, Block 24.

The proposed subdivision is located south of 51 Avenue and west of 46 Street. The purpose of the subdivision is to remove the remaining rail spur that was registered in 1928 and is no longer operational. Portions of the original spur have already been dissolved (original plan 720EO).

CAO R. Stoutenberg explained that the 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 landowner(s) submissions, referral agency comments, the Town of Stettler's statutory planning documents and other related municipal planning documents.

Motion 11:06:05

Moved by Councillor Thorogood that the Town of Stettler Council approve Subdivision Application 2011-03 as presented with the following conditions:

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; and
3. The application is consistent with the Land Use Bylaw 1976-08.

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

1. The Town of Stettler will conduct a legal survey in order to incorporate the proposed subdivision into the existing neighborhood.
2. The four affected properties will receive a new title with the rail right-of-way exception removed.
3. 404.6 square meters will be consolidated into the four properties as follows:
 - 147.7 sq. m. - Lot 6 & 7, Block 23
 - 111.5 sq. m. - Lot 8 & Pt 9, Block 23
 - 37.1 sq. m. - Lot Pt 9, 10 & 11, Block 23
 - 108.3 sq m. - Lot 4, Block 24

MOTION CARRIED
Unanimous

(e) Request for Subdivision Extension 2009-02

CAO, R. Stoutenberg advised that Gray Grant has submitted a letter requesting an extension until August 1, 2011 for Subdivision 2009-02 to execute the required development agreement and provide a plan of survey for registration with Alberta Land Titles.

CAO, R. Stoutenberg advised that on November 17, 2009 the Town of Stettler Subdivision Authority approved a subdivision to create one highway commercial lot. The subdivision approval dated November 30, 2009 was issued subject to the following conditions:

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. The application is consistent with the policies of the South East Area Structure Plan; and
4. The application is consistent with the Land Use Bylaw.

Further, in accordance with Sections 654 and 655 of the Municipal Government Act, the application is approved subject to the following conditions:

1. That one highway commercial lot, one local street, one utility lot (if required), and one road widening lot be effected 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, and shall include provisions pertaining to the following:
 - a) Stormwater Management Plan;
 - b) Water, sanitary and stormwater servicing;
 - c) Fire protection;
 - d) Service road construction; and
 - e) Turn lane construction.
3. That Municipal Reserves be deferred to the balance of the quarter section.
4. That off-site levies in the amount of \$5,000 per gross acre be paid prior to subdivision endorsement.

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

Brief discussion ensued respecting the nature of this subdivision and development project.

Motion 11:06:06

Moved by Councillor Thorogood that the Town of Stettler Council approves the extension of Subdivision 2009-02 to August 1, 2011 based on the original approval and conditions.

MOTION CARRIED
Unanimous

- (f) Request for Decision re: 1143470 Alberta Ltd.

CAO, R. Stoutenberg advised that the applicant (1142470 Alberta Ltd.) is proposing to rezone this parcel from Urban Reserve to Highway Commercial in order to prepare the land for future development of commercial uses. The property currently contains a mobile home and an accessory building. The applicant intends to subdivide the property into five +/- 0.50 acre parcels for future commercial development.

The proposed subdivision is located at 4905-44 Avenue on the remainder of QTR: S.E. SEC: 05 TWPL 39 RNG: 19 M: 4.

CAO R. Stoutenberg explained that staff has assessed this application against the provisions outlined in the Town of Stettler Southeast Area Structure Plan, Intermunicipal Development Plan and Municipal Development Plan.

Staff is recommending first reading to Bylaw 2014-11 to rezone a portion of the remainder of QTR: S.W. SEC: 05 TWP: 39 RNG: 19 M: 4 from UR: Urban Reserve to C2: Highway Commercial.

Discussion ensued regarding the actual size of the remaining legal parcel (in the original quarter section) and the need to address some parkland dedication adjacent to Cold Lake at the time of subdivision.

Mayor Richards with the mutual consent of Council varied the order of the agenda to consider Bylaw 2014-11 for first reading only.

Bylaw 2014-11 re: Rezoning

Mayor Richards explained that Bylaw 2014-11 is to amend Schedule A of Land Use Bylaw 1976-08 as follows:

That a portion of the remainder of QTR: S.E. SEC: 05, TWP:39, RNG:19, M:4 be re-designated from UR: Urban Reserve to C2: Highway Commercial as outlined in Schedule A to the bylaw.

Motion 11:06:07

Moved by Councillor Campbell that the Town of Stettler Council give first reading to Bylaw 2014-11.

MOTION CARRIED
Unanimous

(g) Invitation re: Stettler Rotary Club's Annual Farmer's Appreciation Night

CAO, R. Stoutenberg advised that the Stettler Rotary Club's Annual Farmer's Appreciation Night will be held on Monday, June 27th at the Stettler Community Hall.

Discussion ensued regarding which members of Council will be able to attend.

(h) Discussion re: Free Use of Leisure Centre (Councillor Campbell) – Policy X-1 (d)

It was questioned whether the Town would be able to provide free swim passes to the kids participating in the Rodeo in Stettler.

Discussion ensued respecting that Town policies do not support this type of event sponsorship and that this could set a dangerous precedent for many other youth groups.

It was mutually agreed that the Town will offer to provide passes to each youth participant at the Rodeo and will charge the Rodeo for only the number of passes that actually get used.

Councillor Campbell agreed to communicate this decision back to the Rodeo organizing committee.

(i) Memo re: Alberta Transportation Highway 56 Realignment

CAO, R. Stoutenberg advised that the Technical Review Committee for the Hwy 56 Realignment Planning Study met on May 24, 2011 to review a summary of the highway alignment options presented to Council and to the Public at the Open House held at the SRC on March 3, 2011.

Evaluation Criteria include:

- Land Use Impacts
- Environmental Impacts
- Connectivity to Other Roads
- Traffic Operations
- Implementation Costs
- Property Impacts
- Traffic Safety

All options presented have now been evaluated using this criteria and have been rated accordingly.

A second Open House will be held on June 16, 2011 at the Stettler Recreation Centre from 5:00 to 9:00. The purpose of this open house is to present the following:

- The study background and process.
- A summary of public input from the 1st Open House.
- The summary of all options presented based on the evaluation criteria.
- The five options that are not recommended.
- The preferred option and its plan, profile, typical cross section and intersection layout design details.
- Information on modern roundabout designs.

CAO, R. Stoutenberg advised that after this Open House, input will be gathered again for possible minor revisions that could be incorporated into the functional design. The final report will be compiled and distributed to the key stakeholders. Delcan is prepared to present the final report to Council at a later date.

This item was presented for information purposes.

(j) CAO Report

Motion 11:06:08

Moved by Councillor Thorogood that the Town of Stettler Council approve the CAO Report for May as presented.

MOTION CARRIED
Unanimous

(k) Accounts Payable in the amount of \$785,457.60

Motion 11:06:09

Moved by Councillor Bachman that Accounts Payable in the amounts of \$3,000.00, \$269,512.74, \$284,218.85, \$200,334.01 & \$28,392.00 for the period ending June 3, 2011 for a total amount of \$785,457.60 having been paid, be accepted as presented.

MOTION CARRIED
Unanimous

7. Council:

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Richards

- May 27 - Town Office duties.
- Community Gardens Kick-Off.
- May 28 - Wm. E. Hay Graduation ceremonies.
- May 31 - Seniors Week Proclamation with Reeve Nixon at Heart Haven.
- June 1 - Tim Horton's Camp Day.
- June 3 - Meeting with CAO R. Stoutenberg.
- June 4 - HYC Awesome Auction.
- Farewell supper for RCMP Sgt. R. Schmidt.
- June 5 - Responded to complaint re: dogs in soccer pitch.
- June 6 - Edmonton re: Make a Wish Foundation Northern Chapter.

(b) Councillor Bachman

- May 18 - Library volunteer appreciation.
- May 19 - Library Board Meeting.
- May 25 - Land Use Bylaw Open House.
- May 30 - FCSS Meeting.

(c) Councillor Campbell

- May 19 - Canadian Badlands Product Development Meeting in Strathmore.
- May 25 - Land Use Bylaw Open House.
- May 30 - Rodeo Meeting.
- June 4 - Jack & Carolyn Schulze 50th Anniversary.
- June 4 - Farewell supper for RCMP Sgt. R. Schmidt.
- June 6 - Senior presentation at Paragon Place re: Seniors Week.

(d) Councillor Fischer

- No report – absent from meeting.

(e) Councillor Simons

- No report – absent from meeting.

(f) Councillor Thorogood

- May 24 - PAC Meeting.
- May 27 - Portraits of Honour Launch. Met and spoke with Governor General.
- June 1 - Stettler Health Services Foundation Meeting.
- June 7 - Senior lunch and presentation at Heart Haven re: Seniors Week.

(g) Councillor Wildeboer

- May 25 - Land Use Bylaw Open House.
- May 27 - Community Gardens Kick-Off.
- June 7 - Senior lunch and presentation at Heart Haven re: Seniors Week.

5. Delegations:

(a) 7:15 P.M. – Lee Penner, Director of Parks & Leisure Services and Gerry Little, Parks & Leisure Services Foreman Memo re: Cemetery Protocol

Lee Penner, Director of Parks & Leisure Services and Gerry Little, Parks & Leisure Services Foreman entered the meeting at approximately 7:25 p.m.

Mayor Richards welcomed L. Penner and G. Little to the meeting.

L. Penner explained that due to increasing parks area and taxpayer expectations, there is an increased workload on the Parks and Leisure Services maintenance crews. With the new hire of Parks Foreman Gerry Little, the department is working at improving the service delivery without increasing costs. One of the spots they have received service complaints in the last few years is the cemetery. These requests are related to grave care. The current bylaw does not address the many new things that are appearing on/at grave sites causing increased maintenance times and unusual delays. It is also difficult because many staff have trouble dealing with this memorial location without becoming emotionally involved.

Council reviewed numerous site photos taken at the cemetery respecting various maintenance challenges and significant accumulation concerns identified by staff.

Council reviewed a proposed new Cemetery Protocol that was developed to provide a cleaner looking site and should result in much faster maintenance times.

This Cemetery Protocol is a guideline (to the Cemetery Bylaw) for staff and public ensuring that the maintenance and care of the cemetery is held to high standards and to give staff the direction that is required to do their jobs while allowing some of the private needs of relatives and visitors to the Lakeview Cemetery to be satisfied.

L. Penner explained that many items placed improperly at the graves are potential hazards to employees using maintenance equipment such as weedwhips and lawnmowers. The safety of the public and Town Staff is held in high priority.

Staff is recommending that Council accept the proposed Cemetery Protocol as a tool to help clarify what is the Town's "Opinion of unsightly" in the Cemetery Bylaw. Discussion ensued respecting the challenges and concerns as well as possible solutions. It was noted that it is extremely difficult to police the improper accumulation of sensitive/emotional items being left around grave sites by unknown attendees.

It was noted that the local funeral homes need to be involved in finding a solution and that Council does not desire to have the Cemetery look too sterile.

It was mutually agreed that Administration and staff will continue to do their best given the issues as identified, and that Members of Council will be tolerant and understanding of maintenance challenges/complaints at the Cemetery.

Mayor Richards thanked L. Penner and G. Little for their informative presentation.

L. Penner & G. Little departed the meeting at 7:55 p.m.

8. **Minutes:**
- (a) Heartland Beautification Committee Meeting of May 5, 2011
 - (b) Joint Fire Cost Share Committee Meeting of May 12, 2011

Motion 11:05:10

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

MOTION CARRIED
Unanimous

Mayor Richards temporarily recessed the meeting at 7:57 p.m.

Mayor Richards reconvened the meeting at 8:00 p.m.

9. **Public Hearing:**
- (a) 8:00 P.M.–Bylaw 2011-11 re: Amend Land Use Bylaw

Mayor Richards declared the Public Hearing for Bylaw 2011-11 open at 8:00 p.m.

Present:

Mayor D. Richards
Councillors A. Campbell, D. Bachman, L. Thorogood &
S. Wildeboer
CAO R. Stoutenberg & Assistant CAO G. Switenky
Press (1)

Mayor Richards explained the purpose of the Public Hearing and noted that there were no members of the public present.

Mayor Richards advised that Bylaw 2011-11 is to amend Schedule "A" of the Land Use Bylaw 1797-98 that Lots 7-10, Block 52, Plan 2442AE & Part of Lot 1, Block 1, Plan 0626844 be re-designated from I – Industrial to R3A – Residential Mobile Home Subdivision.

Mayor Richards advised that the bylaw was advertised on May 11 & 18, 2011 for the Public Hearing to be held tonight (June 7th).

Administration informed Council that no written or verbal submissions have been received for or against Bylaw 2011-11.

There were no other representations heard or made.

Mayor Richards declared the Public Hearing for Bylaw 2011-11 closed at 8:02 p.m.

Mayor Richards reconvened the regular Council Meeting at 8:02 p.m.

10. **Bylaws:** (a) 2011-11 re: Amend Land Use Bylaw

Mayor Richards explained that this Bylaw can now be considered for further readings following the Public Hearing that was just held.

Assistant CAO G. Switenky advised that the map included in the agenda package and attached to the Bylaw as Schedule "A" is not the correct one.

Council mutually agreed and acknowledged that the correct map will be attached to the Bylaw as Schedule "A".

Motion 11:06:11

Moved by Councillor Thorogood that the Town of Stettler Council give second reading to Bylaw 2011-11.

MOTION CARRIED
Unanimous

Motion 11:06:12

Moved by Councillor Wildeboer that the Town of Stettler Council give third and final reading to Bylaw 2011-11.

MOTION CARRIED
Unanimous

(b) Bylaw 2014-11 re: Amend Land Use Bylaw

This item was dealt with under Administration 6f.

11. **Correspondence:**

(a) Strathmore Standard – Water Rates up 222%

(b) Alberta Transportation re: Wastewater Storage Cell

(c) Removing Dandelions from Alberta's Noxious Weed list
Renews Calgary Pesticide Debate

(d) Transitional Solutions Inc.

Motion 11:06:13

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

MOTION CARRIED
Unanimous

12. **Items Added:**

(a) East Stettler Playground Fencing

It was identified that the Kinsmen Club is attempting to install a fence around the perimeter of the new playground on the East side of Stettler. There has been some resistance from an adjacent property owner respecting the placement of the fence directly along legal property lines which may cause some vegetation challenges.

It was mutually agreed that CAO R. Stoutenberg and interested Members of Council will visit the playground site immediately following the meeting to gain a better understanding of the specific situation/concerns.

13. **In-Camera:**

(a) There was no In-Camera Session at this meeting

14. **Adjournment:**

Motion 11:06:14

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

MOTION CARRIED
Unanimous at 8:14 p.m.

Mayor

Assistant CAO