

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL
HELD ON TUESDAY, MARCH 19, 2013 IN THE MUNICIPAL OFFICE,
COUNCIL CHAMBERS**

Present: Deputy Mayor Steve Wildeboer

Councillors A. Campbell, D. Bachman, M. Fischer, P. Simons & L. Thorogood

Assistant CAO G. Switenky
Corporate Secretary C. Smith
Executive Director, Stettler Regional Board of Trade, A. Brown

Press (2)

Absent: Mayor D. Richards & CAO R. Stoutenberg

Call to Order: Deputy Mayor S. Wildeboer called the meeting to order at 6:30 p.m.

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

Motion 13:03:01 Moved by Councillor Bachman to approve the agenda as presented.

MOTION CARRIED
Unanimous

3. **Confirmation of Minutes:**

(a) Minutes of the Regular Meeting of Council held March 5, 2013

Motion 13:03:02 Moved by Councillor Fischer that the Minutes of the Regular Meeting of Council held on March 5, 2013 be approved as presented.

MOTION CARRIED
Unanimous

(b) Business Arising from the March 5, 2013 Meeting Minutes

None

(c) Minutes of the Committee Meeting held March 12, 2013

Motion 13:03:03 Moved by Councillor Simons that the Minutes of the Committee Meeting held on March 12, 2013 be approved as presented.

MOTION CARRIED
Unanimous

(d) Business Arising from the March 12, 2013 Committee Meeting Minutes

None

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

5. **Delegations:** (a) 7:15 P.M. – Director of Parks & Leisure Services, Lee Penner & Danny Missikewitz, Stettler Skate Park Association Representative - Memo re: Skate Park Design Company Proposals

This item was dealt with later in the meeting.

6. Administration:

(a) Memo re: 2013 Trade Show & Work Schedule

Assistant CAO G. Switenky advised that the 2013 Trade Show is a great opportunity for Council, Administration and staff members to meet with the public to discuss their concerns, promote Town initiatives and gather input.

In order to achieve this management and staff are required to work a shift in the booth. Council reviewed the following Trade Show work schedule to determine a time that they are available to work in the booth. It was noted that lunch will be provided on Friday, April 12 at 12:00 noon followed by a quick session to go over booth displays.

Members of Council mutually selected and agreed upon their individual shift responsibilities.

(b) Memo re: Ice Edger Replacement

Assistant CAO G. Switenky advised that the ice edger was passed as a replacement item in the 2013 Capital Budget subject to the measurement and validity of air quality improvement.

On December 14, 2012 TKS Controls was brought in to test the air quality in the arena while operating the existing gas powered ice edger. The results were as follows.

1. During 15 minutes of operation with the exhaust fans in operation, the CO₂ levels ranged from 18-60 PPM in various locations.
2. While walking behind the edger the readings were at 70-80 PPM, (this is where the operator walks).
3. While walking 6 ft. in front of the edger the readings were as high as 220 PPM. (this is where the gas emits).
4. There was a CO₂ odor in the lobby that came through the red arena doors.

The Occupational Health & Safety regulation for exposure limits for workers is 25 PPM over an 8 hour period. Air quality levels while operating a battery powered ice edger for 15 minutes are 0 PPM.

Administration is recommending that Town of Stettler Council approve the purchase of an electric edger that best suits the Town's operational needs within the allotted budget of \$6,000.

Motion 13:03:04

Moved by Councillor Campbell that the Town of Stettler Council approve the purchase of an electric edger within the allotted budget of \$6,000.

MOTION CARRIED
Unanimous

(c) 2013 General Election Voting Procedures

Assistant CAO G. Switenky advised that Nomination Day will be held on Monday, September 23, 2013 with Election Day four weeks later on Monday, October 21, 2013.

Assistant CAO G. Switenky explained that in accordance with the *Local Authorities Election Act* Town Council has the authority to vary certain procedures relating to a general election.

Town Council respectfully reviewed the procedures and indicated the ones they desire to be implemented. It was noted that depending on Council's preferences relevant bylaws and/or resolutions will need to be prepared and adopted by Council within the noted time constraints.

Considerable discussed ensued respecting the tentative process should Council authorize the issuance of (mail in) Special Ballots. It was highlighted that the process for issuing Special Ballot would be administratively onerous to garner only a few more votes. Also, that it is more questionable to verify the validity of a Special Ballot voter verses a vote in person at a voting station. Further, that there could potentially be some abuse of the system; whereby it would be easy and tempting for some voters to request a Special Ballot simply because they don't want to go to a voting station.

It was noted that the *Local Authorities Election Act* requires that the Minister be notified no later than 4 months prior to Nomination Day should Council, by motion, authorize the provisions for a Special Ballot.

Discussion continued respecting that if Council desires to authorize Special Ballots in the next general election then a motion would need to be passed no later than 6 months prior to Nomination Day; that timing being prior to March 23, 2013. It was noted that the Motion would effectively need to be passed at this meeting (March 19, 2013).

It was questioned whether the Special Ballot authorizing Motion, if passed at this meeting, could be rescinded at a later date. Assistant CAO G. Switenky replied that he was not aware that there were any provisions in the *Local Authorities Election Act* or in the *Municipal Government Act* to prevent a Motion (to that effect) from being rescinded.

It was concluded that Administration will further explore the possibility of using electronic voting machines; which would require a bylaw at a later date.

Motion 13:03:05

Moved by Councillor Thorogood that the Town of Stettler Council in accordance with the *Local Authorities Election Act*, approves the appointment of Greg Switenky to be the Returning Officer for the Town of Stettler 2013 General Election, and further approves the following procedural items permitted under the *Local Authorities Election Act* for the Town of Stettler 2013 General Election process:

1. Provide for the holding of an advanced vote. The Returning Officer must determine the day(s) and hours when the advanced vote is to be held.
2. Provide for the attendance of 2 deputies at the residence of an elector, during the hours an advanced voting station is open or at other times as may be fixed by resolution, in order to take the votes of an elector who, because of physical incapacity, is unable to attend a voting station or an advanced voting station to vote.

3. Authorize the Returning Officer to designate the following locations for institutional voting stations: Willow Creek, Heart Haven, Paragon Place, Stettler Hospital & Care Centre, Pine Ridge (only if open), Points West (only if open) and Heritage House, and any other location determined necessary by the Returning Officer.
4. Administration to continue to research the availability and economics of utilizing electronic voting machines for the 2013 General Election.

MOTION CARRIED
Unanimous

Motion 13:03:06

Moved by Councillor Thorogood that the Town of Stettler Council provide for a vote by Special Ballot with a valid application by way of any one of the following methods: in writing, by telephone, by telecopier (fax), in person or by email with the understanding that if Council agrees to using the Special Ballot at this time that Council can repeal its decision at a later date.

MOTION DEFEATED (2-4)
Opposed: Deputy Mayor S. Wildeboer, Councillors A. Campbell, P. Simons & M. Fischer

(d) Federal Gas Tax Fund Amending Agreement

Assistant CAO G. Switenky advised that 2013 is the last year of allocations available under the current Federal Gas Tax Fund (FGTF) program. Under the current terms and conditions of the program, the deadline to spend all FGTF funds is March 31, 2014. This deadline has now been extended to December 31, 2014 in order to give municipalities an additional construction season to complete any outstanding projects.

It was noted that Town Council needs to execute the agreements and return to Alberta Transportation by April 1, 2013.

Motion 13:03:07

Moved by Councillor Bachman that the Town of Stettler Council accept the Federal Gas Tax Fund Amending Agreement as presented.

MOTION CARRIED
Unanimous

(e) Bank Reconciliation as of February 28, 2013

Motion 13:03:08

Moved by Councillor Thorogood that the Town of Stettler Council accept the Bank Reconciliation as of February 28, 2013 as presented.

MOTION CARRIED
Unanimous

- (f) Accounts Payable in the amount of \$129,189.97

Motion 13:03:09

Moved by Councillor Fischer that Accounts Payable in the amounts of \$80,113.45, \$4,667.25 (VOID) & \$53,743.77 for the period ending March 14, 2013 for a total amount of \$129,189.97 having been paid, be accepted as presented.

MOTION CARRIED
Unanimous

7. **Council:**

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Richards

- No report – absent from meeting.

(b) Councillor Bachman

- Mar 12 - Committee of the Whole Meeting.
- Mar 14 - Library Board Meeting.
- Mar 18 - HYC Annual General Meeting.

(c) Councillor Campbell

- Feb 26 - Seniors Presentation at the SRC.
- Feb 27 - Red Deer River Municipal Users Group Meeting.
- Mar 3 - Board of Trade Meeting.
- Committee of the Whole Meeting.
- Mar 14 - Red Deer River Watershed Alliance Meeting.

(d) Councillor Fischer

- Mar 11 - FCSS re: update and cheque signing.
- Mar 12 - Committee of the Whole Meeting.
- Mar 15 - Home visit with a concerned senior.
- Mar 18 - HYC Annual General Meeting.

(e) Councillor Simons

- Feb 27 - Performing Arts Centre Meeting.
- Mar 7 - Beautification Committee Meeting.
- Mar 12 - Committee of the Whole Meeting.
- Mar 15 - Airport Board Meeting.

5. **Delegations:**

- (a) 7:15 P.M. – Director of Parks & Leisure Services, Lee Penner & Danny Missikewitz, Stettler Skate Park Association Representative - Memo re: Skate Park Design Company Proposals

Director of Parks & Leisure Services Lee Penner & Skate Park Association representative Danny Missikewitz entered the meeting at approximately 7:15 p.m.

Deputy Mayor Wildeboer welcomed L. Penner and D. Missikewitz to the meeting.

Director of Parks & Leisure Services L. Penner advised that the Parks and Leisure Services Department and the Stettler Skate Park Association have received five requests for proposals (RFP) from companies who will work with the Town to find the right location from the suggested sites, design the park, assist with the grant requirements and prepare props for additional fundraising.

The Five companies that responded were:

- NewLine Skate Parks Inc.
- Playworks
- Spectrum
- Canadian Ramp Company
- Rex RecreActive Inc.

One was above ground ramps, two were pre-cast concrete ramps and two were pour in place. Of the companies that submitted only New Line Skate Parks holds a C.O.R. safety program certificate, and one would hire a construction company that holds the C.O.R. certificate.

The selection of the design and construction consultant for the skate park was based on the following criteria:

- ❖ Demonstrated experience developing concepts and designs of skate parks and/or park and recreation facilities.
- ❖ A unique design appropriate to both the site and the character of the Town.
- ❖ Demonstrated ability to work with citizens of diverse ages, including both parents and youth.
- ❖ Professional experience and educational background of team members.
- ❖ Proposed approach to project
- ❖ Proposed project schedule
- ❖ Examples of previous projects
- ❖ "Not to exceed" fee
- ❖ Client references
- ❖ Proposed Risk Management in the form of Design/Build Guarantees, Indemnity and Liability, Insurance strategies and proof of coverage
- ❖ Health and Safety: The committee will reject a proposal submitted by a respondent who has not obtained a C.O.R (Certificate of Recognition) for safety appropriate to their industry issued by the Alberta Construction Association, Construction Safety Network or equivalent regional association. Please include evidence of C.O.R and a recent WCB (Workers Compensation Board).

New Line has worked on approximately 25 parks in the province to date.

Administration is recommending hiring New Line Skate Parks Inc. to work for the Town of Stettler and the Stettler Skate Park Association to design and build the Skate Park.

Discussion ensued regarding the initial costs with New Line that would be incurred in the amount of approximately \$20,000 for the process to determine the scope and design of the park.

It was also noted that the application submitted for CFEP grant funding (\$125,000) has not been approved yet and is integral to constructing the park unless other fundraising efforts or other sources can be secured.

Council mutually agreed that the \$20,000 would firstly come out of the Skate Park Association funds as opposed to the contribution from the Town.

Motion 13:03:10

Moved by Councillor Fischer that the Town of Stettler Council hire New Line Skate Parks Inc. to work for the Town of Stettler in cooperation with the Stettler Skate Park Association to design and build the skate park, and that the initial cost component, estimated at \$20,000, to determine the scope and design the park be paid from the Skate Park Association funds.

MOTION CARRIED
Unanimous

Deputy Mayor Wildeboer thanked L. Penner & D. Missikewitz for their informative presentation.

D. Missikewitz left the meeting at 7:33 p.m.

7. **Council Con't:**

Mayor and Councillors outlined highlights of meetings they attended.

(f) Councillor Thorogood

- Feb 20 - SRC Library Grant Presentation.
 - Don Gillespie Diamond Jubilee Medal presentation.
- Feb 26 - DTHT Teleconference.
 - Seniors Presentation at the SRC.
- Feb 27 - SHSF Equipment Selection Meeting.
 - P.A.C. Meeting.
- Mar 6 - SHSF General Meeting.
- Mar 8 - Assisted with storage options for the Festival and Seniors Group.
- Mar 12 - Committee of the Whole Meeting.
- Mar 16 - DTHT Key Client Event.
- Other - Physician Recruitment/Foundation re: Doctors, appreciation ad and hospital upgrade letter to ministers.

(g) Councillor Wildeboer

- Feb 22 - Brought Greetings at the Rotary Curling.
- Mar 18 - Museum Meeting.

8. **Minutes:**

(a) Parkland Regional Library Board Meeting of February 28, 2013

Council questioned why Wolf Creek School Division gave notice to withdraw from the school media service effective September 2013. Currently there are 36 schools taking media service and 26 of them belong to Wolf Creek School Division. With only 10 schools left to take media service, Parkland sent out termination notices to the remaining 10 schools terminating service effective September 2013.

Assistant CAO G. Switenky advised that the Town contributes \$6.72/per capita totaling approximately \$40,000 per year.

Council questioned the benefits of belonging to the Parkland Regional Library system. Also why Wolf Creek Schools are withdrawing from media services and if this would impact the Town's future costs.

Council directed Councillor D. Bachman (Library Representative) to obtain further clarification.

Motion 13:03:11

Moved by Councillor Campbell that the Town of Stettler Council accept the minutes, item 8(a) as presented.

MOTION CARRIED
Unanimous

9. **Public Hearing:**

(a) None

10. **Bylaws:**

(a) 2040-13 re: Traffic Bylaw Amendment

Assistant CAO G. Switenky advised that the Town's Solicitor has requested that the Town amend Traffic Bylaw to include a section under penalties regarding owner liability. The addition of this section will allow for contested traffic tickets to stand up in court by authorizing that the registered owner of a vehicle be liable for any charges or offence.

Deputy Mayor Wildeboer explained that Bylaw 2040-13 is a bylaw to amend Traffic Bylaw 1941-06 as follows:

1. In Part VIII, new Section 805 is added as follows:

"805 Owner Liable

- (1) Owner includes any person registered as an owner of a vehicle at the Registrar of Motor Vehicle Services.
- (2) Where a vehicle is driven, used, parked, or left in contravention of any provision of this Bylaw, the owner of the vehicle is guilty of that offence and liable for the contravention and shall pay the penalty prescribed herein. This section does not apply if the owner of the vehicle satisfies the court that at the time of the contravention, the person driving, using, parking, or leaving the vehicle did not have the owner's consent, express or implied.
- (3) An owner who is guilty of an offence by operation of this section is not liable to imprisonment in respect of that offence or in respect of a default of a fine imposed in respect of that offence.

Motion 13:03:12

Moved by Councillor Fischer that the Town of Stettler Council give first reading to Bylaw 2040-13 as presented.

MOTION CARRIED
Unanimous

Motion 13:03:13

Moved by Councillor Thorogood that the Town of Stettler Council give second reading to Bylaw 2040-13 as presented.

MOTION CARRIED
Unanimous

Motion 13:03:14

Moved by Councillor Bachman that the Town of Stettler Council give permission for third and final reading to Bylaw 2040-13 as presented.

MOTION CARRIED
Unanimous

Motion 13:03:15

Moved by Councillor Simons that the Town of Stettler Council give third and final reading to Bylaw 2040-13 as presented.

MOTION CARRIED
Unanimous

11. **Correspondence:**
- (a) Alberta Health re: Financial Incentives for Physicians
 - (b) Draft Principles re: Feedback from February 2013 Mayors Caucus
 - (c) MGA Review
 - (d) Member Notices – Getting Back to Basics: Understanding Continuing Care in Alberta
 - (e) Day of the Honey Bee
 - (f) Legal Communiques – Planning Considerations: What is Sound and Relevant?
 - (g) Highlights of 2013 Provincial Budget
 - (h) 2013 Municipal Sustainability Initiative Allocations
 - (i) Stettler Public Library

Assistant CAO G. Switenky explained that the financial year-end of the Stettler Public Library is December 31 and the Library Board has made a decision/recommendation in regards to the final financial records of 2012. It has been decided by the Board that after two years of reporting on a Notice to Reader basis that a full audit should be done.

The Board has requested that Town Council endorse and ratify this new financial reporting requirement.

Discussion ensued regarding the cost of preparing Notice to Reader statements versus the significantly higher cost of an audit. It was also noted that a Review Engagement may be suitable.

Council directed Councillor D. Bachman to obtain further clarification on whether an audit is required or desired.

This item was tabled to a future Council Meeting pending further information.

Motion 13:03:16

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

MOTION CARRIED
Unanimous

12. **Items Added:** (a) None
13. **In-Camera Session:** (a) There was no In-Camera Session at this meeting.

14. Adjournment:

Motion 13:03:17

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

MOTION CARRIED
Unanimous at 8:10 p.m.

Mayor

Assistant CAO