

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF STETTLER COUNCIL
HELD ON TUESDAY, MARCH 4, 2008 IN THE MUNICIPAL OFFICE,
COUNCIL CHAMBERS**

Present: Mayor J. Hunter

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

Town Manager R. Stoutenberg
Director of Finance & Administration G. Switenky

Press (2)

Absent: None

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

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

Motion 08:03:01 Moved by Councillor Richards to approve the agenda with the following additions:

- 12(a) Senior Citizen's Drop-In Centre Committee Update
- 12(b) DTHR re: Hospital/Doctor Recruitment Update

MOTION CARRIED
Unanimous

3. **Confirmation of Minutes:**

- (a) Minutes of the Regular Meeting of Council held February 19, 2008

Motion 08:03:02 Moved by Councillor Peeples that the Minutes of the Regular Meeting of Council held on February 19, 2008 be approved with the following correction to read:

Absent:
Councillors D. Richards & L. Thorogood (attended by teleconference speakerphone at 7:15 pm for Item 6(h) only).

MOTION CARRIED
Unanimous

- (b) Business Arising from the February 19, 2008 Minutes

None

4. **Citizen's Forum:** (a) Mr. H. Brook re: Parking Violation - Appeal

This item was dealt with later in the meeting.

5. **Delegations:** (a) None

6. **Administration:** (a) Request for Subdivision #2008-01

Mayor Hunter declared a possible conflict of interest and by departing the meeting excused himself from discussion and voting on this matter.

Deputy Mayor Councillor Peeples assumed the chair.

Town Manager, R. Stoutenberg advised that the applicant (Echo Ridge Homes) is proposing to create two lots to accommodate a duplex on Lot 62, Block 9, Plan 052 0151 located at 6014 – 53 Avenue Court.

The north lot to be created is 390.2 square meters and the south lot to be created is 482 square meters which meets the minimum parcel requirements of the R2: General Residential Land Use District.

Access to the property will be from the lane between 53 Avenue Close and 53 Avenue Court (required off-street parking is provided for each unit).

The applicant has obtained a development permit and a building permit for the construction of a duplex (no relaxations were required).

Separate services to each unit are required to be installed to the satisfaction of the Public Works Department.

No concerns were received from adjacent property owners respecting this infill development/subdivision.

Discussion ensued regarding the timing of the subdivision application being once the foundation is in thereby ensuring an accurate property survey.

Motion 08:03:03

Moved by Councilor Thorogood that Subdivision Application 2008-01 from Echo Ridge Homes to create two parcels to accommodate a duplex on Lot 62, Block 6, Plan 052 0151 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 the Town of Stettler Council approves Subdivision Application 2008-01 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 Municipal Development Plan.
3. No Municipal reserves owing.

And further, in accordance with Sections 654 and 655 of the *Municipal Government Act*, the Town of Stettler Council approves Application 2008-01 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 supplies appropriate municipal services to each new parcel being created to the satisfaction of the Town of Stettler's Public Works Department.

3. 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 returned to the meeting and re-assumed the chair.

(b) Memo re: 2008 Vehicle Tender

Town Manager, R. Stoutenberg noted that three local tenders were received for three 2008 ¾ Ton Trucks and for one 2008 1 Ton Chassis Cab Truck as follows:

¾ Ton Trucks (3)

| | |
|-------------------------|-------------------|
| - Stettler Dodge Ltd. | \$22,348 per unit |
| - Aspen Ford Sales Ltd. | \$23,591 per unit |
| - Stettler GM Ltd. | \$24,550 per unit |

1 Ton Chassis Cab Truck (1)

| | |
|-------------------------|----------|
| - Stettler Dodge Ltd. | \$23,435 |
| - Stettler GM Ltd. | \$23,920 |
| - Aspen Ford Sales Ltd. | \$24,721 |

The 2008 Capital Budget includes \$28,000 for each of the three ¾ Ton Trucks and \$35,000 for the 1 Ton Truck.

It was noted that all bids meet the required minimum specifications requested by the Town.

Motion 08:03:04

Moved by Councillor Campbell that the Town of Stettler Council accept the low bid from Stettler Dodge Ltd. for the purchase of three 2008 ¾ Ton Trucks and one 2008 1 Ton Chassis Cab Truck as presented.

MOTION CARRIED

Unanimous

(c) Memo re: Water/Sewer Project – 47 Avenue & 56A Street Lane Sanitary & Watermain Replacement Tender

Town Manager, R. Stoutenberg noted that the 47 Avenue & 56A Street Lane Sanitary & Watermain Replacement tender closed on February 28, 2008 with three bidders. The tender had two options for the watermain replacement; open cut vs. pipe bursting. The pipe burst option is a less destructive and cleaner method of construction.

The 2008 Capital Budget includes a combined \$435,000 for both locations.

| | Pipe Burst | Open Cut |
|-------------------------|--------------|--------------|
| Prairie Ghost | \$366,929.09 | \$309,875.59 |
| Wally's Backhoe Service | \$288,682.75 | \$289,557.75 |
| Urban Dirtworks | \$262,789.50 | \$259,156.60 |

Price includes \$30,000 for contingency and geotech as well as \$5,000 for a hydrovac allowance. The price is tax out and will require an estimated additional 15% for engineering fees.

Motion 08:03:05

Moved by Councillor Peeples that the Town of Stettler Council accept the pipe burst method low bid from Urban Dirtworks for the 47 Avenue & 56A Street Lane Sanitary & Watermain Replacement Tender as presented.

MOTION CARRIED
Unanimous

(d) Memo re: Tandem Truck Tender

Town Manager, R. Stoutenberg noted that three tenders were received for the 2008 Tandem Truck Tender as follows:

| | |
|--|-----------|
| - Calmont Truck Centre (Edmonton) | \$166,485 |
| - Glover International Trucks (Red Deer) | \$160,690 |
| - Freightliner of Red Deer | \$156,500 |

The following bids do not include GST.

The 2008 Capital Budget includes \$145,000 for the purchase of a Tandem Truck with 100% funding coming from the Municipal Sustainability Initiative program. It was stated that the shortfall of \$11,500 can be covered by savings realized in the 2008 Vehicle Tender (approved earlier) or possibly by MSI grant funds (only if available once all eligible projects are completed).

Motion 08:03:06

Moved by Councillor Thorogood that the Town of Stettler Council accept the low bid from Freightliner of Red Deer for the purchase of a Tandem Truck as presented.

MOTION CARRIED
Unanimous

(e) Memo re: Trailer Mount Trash Pump Tender

Town Manager, R. Stoutenberg noted that three tenders were received for the 2008 Trailer Mount Trash Pump Tender as follows:

| | |
|------------------------------------|-------------|
| - Stettler Rentals (Stettler) | \$18,478.75 |
| - RSC Equipment Rentals (Red Deer) | \$21,204.54 |
| - Cat the Rental Store (Lacombe) | \$26,750.00 |

The following bids do not include GST.

The 2008 Capital Budget includes \$23,000 for the Trailer Mount Trash Pump.

Motion 08:03:07

Moved by Councillor Garbutt that the Town of Stettler Council accept the low bid from Stettler Rentals for a Trailer Mount Trash Pump as presented.

MOTION CARRIED
Unanimous

(f) Memo re: Tower Road Local Improvement

Town Manager R. Stoutenberg clarified that based on legal advice obtained from Brownlee LLP (requested during Committee of the Whole February 12, 2008) that Mayor Hunter and Councillors Thorogood & Richards would be in a possible conflict of interest on this matter given their pecuniary business/professional relationships with some of the relatively small number of affected property owners, and further that Councillor Dennis would be in a possible conflict of interest on this matter given his family relationship with an affected property owner.

Town Manager, R. Stoutenberg further advised that given this legal opinion this agenda item cannot be discussed because four members of Council would be in conflict and the remaining Members of Council (3 of 7) would not be enough to form a quorum in accordance with the provisions of the *Municipal Government Act*.

Town Manager R. Stoutenberg further stated that the Province is planning to perform highway upgrades within 10 years that may result in any proposed work on Tower Road being redone/replaced. Therefore, Administration recommends that this item be tabled indefinitely.

Discussion ensued regarding whether the project needs to be discussed/dealt with sooner than later. Town Manager R. Stoutenberg advised that he could make an application the Minister of Municipal Affairs requesting special dispensation to allow this item to be considered.

Motion 08:03:08

Moved by Councillor Peebles that the Town of Stettler Council table the Tower Road Surface and Drainage Project.

MOTION DEFEATED
Unanimous

Town Manager, R. Stoutenberg will contact Municipal Affairs to seek advice on what is required to get Ministerial Authority to allow this Local Improvement project to be considered by Council given the loss of quorum resulting from four declarations of Conflict of Interest.

(g) Council Participation re: Mock Disaster Exercise –March 20, 2008

Town Manager, R. Stoutenberg highlighted that there will be a Mock Disaster Exercise on March 20, 2008.

4. **Citizen's Forum:**

(a) Mr. H. Brook re: Violation Ticket

Harry Brook of 5008 – 55th Street entered the meeting at 7:00 p.m.

Mayor Hunter introduced Members of Council for the benefit of H. Brook.

H. Brook stated that he received a violation ticket for failing to remove his vehicle from a posted snow removal route. Previously he has spoken with Town Manager, R. Stoutenberg and Mayor Hunter regarding his ticket and now wishes to appeal it to Council.

H. Brook stated that he tried to move his vehicle however discovered that the battery was dead.

H. Brook stated that he was not aware that failure to remove his vehicle as posted would immediately result in a bylaw offence of \$50.00. Therefore he is appealing his ticket to Council because he was not afforded a warning.

It was questioned and answered that H. Brook did not inform the Town that his parked vehicle had mechanical problems on that day.

Discussion ensued regarding whether Council has the ability to cancel a ticket at this stage of the process given a court appearance is now required.

Roundtable discussion ensued regarding bylaw education, ignorance of bylaws, public notices included in the Town's newsletter, and the appropriateness of issuing warnings in all circumstances.

Mayor Hunter informed H. Brook that Council would have to debate his request later in the meeting and thanked him for attending Citizen's Forum.

H. Brook departed the meeting at 7:15 p.m.

Mayor Hunter with the mutual consent of council determined that it would be appropriate to debate this matter immediately.

Town Manager, R. Stoutenberg stated that in a previous discussion with H. Brook regarding his violation ticket he admitted that in prior years when the street was posted for snow removal his parked vehicle was just plowed around.

Roundtable discussion continued regarding whether H. Brook's parking violation ticket should stand or whether education/warning would have been more appropriate under the stated circumstances.

Motion 08:03:09

Moved by Councillor Richards that the Town of Stettler Council approve a request from H. Brook to cancel his \$50.00 parking violation ticket for reasons noted by him and further direct Administration to advise the Town's bylaw prosecutor to withdraw this violation ticket from the court process.

MOTION DEFEATED (5 -2)
Opposed: Mayor Hunter,
Councillors Garbutt, Thorogood,
Campbell & Dennis

6. **Administration (Con't)**: (h) Strategic Update Goal #2 re: West Stettler Park Events

Town Manager, R. Stoutenberg explained that since the construction of the bandstand/gazebo at West Stettler Park, (initiated by the Beautification Committee), Parks & Leisure Services have sent letters to various groups that perform drama and music to consider having a performance or celebration for our community at the new venue.

It is the hope to have a schedule with weekly events for the public to expect all summer.

Administration is requesting an operating budget of \$2,000 to cover entertainment expenses/performance honorariums.

Discussion ensued regarding whether \$2,000 is enough and whether a bigger name performer with a gate admission would be appropriate in West Stettler Park.

Discussion continued regarding the possibility of getting corporate sponsorship for some larger events/bigger name performers.

Motion 08:03:10

Moved by Councillor Garbutt that the Town of Stettler Council approve the inclusion of \$5,000 in the 2008 Operating Budget that would allow Administration to schedule some community entertainment events over the coming season.

MOTION CARRIED
Unanimous

(i) Town Manager's Report

Motion 08:03:11

Moved by Councillor Richards that the Town Manager's Report for the month of February be accepted as presented.

MOTION CARRIED
Unanimous

(j) Accounts Payable in the amount of \$280,096.27

Motion 08:03:12

Moved by Councillor Peebles that Accounts Payable for the period ending February 27, 2008 in the amount of \$280,096.27 having been paid, be accepted as presented.

MOTION CARRIED
Unanimous

7. **Council:**

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Hunter

- Feb 22 - Town Office duties.
- Feb 27 - Mediation Meeting.

- Feb 29 - Town Office duties.
- DTHR Meeting.

(b) Councillor Campbell

- Feb 27 - Water Negotiation Meeting.
- Mediation Meeting.
- Mar 3 - Voted in Election.
- Seniors Centre Tour.
- Mar 4 - Water Meeting with Associated Engineering.

(c) Councillor Dennis

- Feb 21 - Parkland Regional Library Meeting.
- Feb 27 - Regional Water Meeting.
- FCSS Meeting.
- Feb 28 - Airport Board Meeting.
- Mar 4 - Water Meeting with Associated Engineering.

(d) Councillor Garbutt

- Feb 21 - Regional Housing Authority Meeting.
- Feb 29 - DTHR Meeting re: hospital upgrade and Doctor Recruitment.

(e) Councillor Peebles

- Feb 25 - Stettler Town & Country Museum Meeting.
- Feb 27 - Regional Water Meeting.
- FCSS Meeting.
- Feb 29 - DTHR Meeting re: hospital upgrade and Doctor Recruitment.
- Mar 4 - Regional Waterline Meeting at County with Engineers and Government personnel.
- Meeting with Associated Engineering re: WTP and water transfer site, etc.

(f) Councillor Richards

- Feb 19 - Teleconference from Kananaskis.
- Feb 27 - Mediation Meeting.
- Feb 28 - Joint Building Meeting in Red Deer.
- Feb 29 - DTHR Meeting.

(g) Councillor Thorogood

- Feb 5 - Mediation Meeting.
- Feb 11 - Stettler Hospital Foundation Meeting.

- Feb 12 - Committee of the Whole Meeting.
- Feb 14 - Board of Trade Meeting.
- Feb 19 - Teleconference from Burns Lake, B.C.

8. **Minutes:**
- (a) Stettler Town & Country Museum Meeting of January 21, 2008
 - (b) Stettler Public Library Board Meetings of January 17, 2008
 - (c) FCSS Board Meeting of January 28, 2008

Motion 08:03:13

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

MOTION CARRIED
Unanimous

9. **Public Hearing:** (a) None
10. **Bylaws:** (a) None
11. **Correspondence:** (a) Wild Rose Foundation re: Corporate Volunteer Award of Excellence 2008
- (b) Letter re: Park Donation

Town Manager, R. Stoutenberg explained that the Town has received a donation from the Blokелands in the amount of \$5,000 to be used to establish a new park in Stettler.

It was noted that there will be additional costs as well as future maintenance obligations associate with developing a new park. Administration will identify potential locations for a new park and prepare initial cost estimates. The additional cost to the Town will depend on a number of factors including location, scope of landscaping, and park amenities. The Town's share of additional costs will need to be included in future capital and operating budgets.

- (c) Stettler Public Library
- (d) 2008 Atco Community Symposium
- (e) Alberta Minister of Municipal Affairs and Housing

Motion 08:03:14

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

MOTION CARRIED
Unanimous

12. **Items Added:** (a) Senior Citizen's Drop-In Centre Committee Update

It was stated that Committee Members toured the former Alberta Treasury Branch property and were very impressed. It would likely require an estimated \$100,000 to renovate as well as \$375,000 to acquire. The Ad Hoc Committee has yet to finalize any recommendation for both the Town and the County to consider.

(b) DTHR re: Hospital/Doctor Recruitment Update

Discussion ensued regarding the meeting with representatives from the David Thompson Health Region (DTHR) on February 29th, 2008.

It was further noted that the Doctor Recruitment Committee should be re-engaged given the length of time it takes to recruit a new physician(s) to the community.

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

14. **Adjournment:**

Motion 08:03:15

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

MOTION CARRIED
Unanimous at 8:12 p.m.

Mayor

Director of Finance & Administration