

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

**Present:** Mayor J. Hunter  
  
Councillors D. Dennis, D. Garbutt, R. Peeples, D. Richards & L. Thorogood  
  
Town Manager R. Stoutenberg  
Director of Finance & Administration G. Switenky  
  
Press (2)

**Absent:** Councillor A. Campbell

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

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

**Motion 08:11:01** Moved by Councillor Richards to approve the agenda as presented with the following addition:

12(a) Request for Certificate Condominium Plan

MOTION CARRIED  
Unanimous

3. **Confirmation of Minutes:**

(a) Minutes of the Regular Meeting of Council held October 21, 2008

**Motion 08:11:02** Moved by Councillor Thorogood that the Minutes of the Regular Meeting of Council held on October 21, 2008 be approved as presented.

MOTION CARRIED  
Unanimous

(b) Business Arising from the October 21, 2008 Minutes

None

(c) Minutes of the Organizational Meeting of Council held October 21, 2008

**Motion 08:11:03** Moved by Councillor Peeples that the Minutes of the Organizational Meeting of Council held on October 21, 2008 be approved as presented.

MOTION CARRIED  
Unanimous

(d) Business Arising from the October 21, 2008 Organizational Minutes

None

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

5. **Delegations:** (a) 7:15 P.M. re: Sports Park Fundraising Committee

This item was dealt with later in the meeting.

6. **Administration:**

(a) Request for Subdivision 2008-04

Mayor Hunter with the mutual consent of Council varied the order of the agenda to consider agenda items 6(a) later in the meeting.

(b) Memo re: Stettler Municipal Library Appointment

Town Manager, R. Stoutenberg advised that Joan Baltimore has shown an interest in sitting on the Stettler Municipal Library Board. This appointment would replace Dave Dahl who due to time commitments is not able to attend the meetings.

**Motion 08:11:04**

Moved by Councillor Garbutt that the Town of Stettler Council appoint Joan Baltimore to the Stettler Municipal Library Board. This appointment will expire in October 2010.

MOTION CARRIED  
Unanimous

(c) Notice: Committee/Operating Budget Meeting Date Change from Nov 11<sup>th</sup> at 4:30 p.m. to November 12<sup>th</sup> at 3:30 p.m.

Town Manager, R. Stoutenberg advised that due to the Remembrance Day Holiday on Tuesday, November 11<sup>th</sup> there will be no Committee of the Whole Meeting, and that the Operating Budget Meeting will be held on Wednesday, November 12<sup>th</sup> at 3:30 p.m.

(d) Town Manager's Report

**Motion 08:11:05**

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

MOTION CARRIED  
Unanimous

(e) Accounts Payable in the amount of \$669,061.13

**Motion 08:11:06**

Moved by Councillor Richards that Accounts Payable for the period ending October 29, 2008 in the amount of \$669,061.13 having been paid, be accepted as presented.

MOTION CARRIED  
Unanimous

7. **Council:**

Mayor and Councillors outlined highlights of meetings they attended.

(a) Mayor Hunter

- Oct 24 - Town Office duties.
- MLA, Jack Hayden Open House.
  
- Oct 25 - Regimental Ball.

- Oct 27 - Meeting with School Board and Minister of Education Dave Hancock & MLA, Jack Hayden in Edmonton.

- Oct 30 - CUPE Negotiations.

- Oct 31 - Town Office duties.

(b) Councillor Campbell

- No report – absent from meeting.

(c) Councillor Dennis

- Oct 22-24 - Trip to Carroll, Ohio to view working Model of garbage disposal unit and recycling.

(d) Councillor Garbutt

- Oct 30 - CUPE Negotiating.

- Oct 31 - CUPE Negotiating.

(e) Councillor Peebles

- Oct 30 - CUPE Negotiating.

(f) Councillor Richards

- Oct 30 - CUPE Negotiating.

- Oct 31 - CUPE Negotiating.

(g) Councillor Thorogood

- Oct 23 - Board of Trade Meeting.

- Oct 29 - Stettler Hospital Foundation  
Equipment/Funding policies.

- Oct 30 - CUPE Negotiating.

- Oct 31 - CUPE Negotiating.

- Nov 3 - DTHR Health Trust.

6. **Administration Con't:** (a) Request for Subdivision 2008-04

Development Officer, W. Holowachuk entered the meeting at 7:00 p.m.

Mayor Hunter declared a possible conflict of interest on agenda items 6(a) and 12(a) and by departing the meeting excused himself from discussion and voting on both matters.

Deputy Mayor Councillor Garbutt assumed the chair.

Development Officer, W. Holowachuk advised that the applicant (Don Peters) is proposing to create two lots to accommodate an Industrial Development on Legal Description SE ¼-5-39-19-4 located at 4410 – 48 Street.

On May 20<sup>th</sup>, 2008 the applicant submitted his subdivision application to create one new Industrial lot (.78 Acres), at this time referral letters were sent to adjacent property owners and referral agencies.

Administration did receive one letter of concern from the property owner located directly to the north of the proposed subdivision. As a result of this concern the Town of Stettler has been working with Alberta Environment to ensure proper Water Act Approvals have been obtained from the applicant prior to any further work commencing.

On October 22<sup>nd</sup>, 2008 the applicant received a Water Act Approval from Alberta Environment which upon posting at the property gives the applicant the right to continue filling on the lands upon meeting a number of conditions (see attached). However, as this filling will most likely result in displacing the current surface water on the property onto adjacent parcels Administration is suggesting that as a condition of approval the applicant enter into a Development Agreement with the Town of Stettler for the construction of Storm Water infrastructure.

This infrastructure will be designed and installed in accordance with the proposed outline plan for this area prepared by Tagish Engineering which addresses storm water from 48<sup>th</sup> Street to 42<sup>nd</sup> Street. Through this agreement the applicant will have to provide a Letter of Credit based on the estimated costs of the storm water infrastructure and ensure that the proper Public Utility Lots are credit to accommodate this infrastructure.

Currently there is an existing building on the property to be subdivided (Auto Trust) which has access from 48<sup>th</sup> Street. This development was approved as the one main building permitted on the entire parcel, however upon registration of this subdivision Administration advises that no further development occurs on the remainder of the lands until such time as a subdivision and ultimately a Development Agreement is in place for the remainder of the lands.

Currently .48 acres of Municipal Reserve lands are owing on this parcel. Based on a land appraisal completed on January 10, 2008 the land was valued at \$59,500. Administration is proposing that the applicant provide Municipal Reserve land in the form of a PUL to accommodate storm water infrastructure on the remainder of lands. This PUL will account for .04 acres leaving .44 acres or \$5,454.17 to be deferred to the remainder of the lands.

As a condition of the Water Act Approval the applicant must provide the Town of Stettler \$2,000.00 dollars in compensation. This compensation is to be provided prior to the endorsement of subdivision plans. Alberta Environment has advised Administration that this compensation is to be dedicated to Cold Lake projects and if possible to be used for educational purposes (signage).

Lengthy discussion ensued regarding the proposed Public Utility Lot (PUL) and Council's preference to encourage the applicant to construct appropriate drainage in accordance with an engineered plan for the entire area; rather than to post security.

It was also stated that the required PUL (.04 acres) does not need to be deducted from Municipal Reserve lands owing.

**Motion 08:11:07**

Moved by Councillor Thorogood that Subdivision Application 2008-04 from Don Peters to create two parcels to accommodate an Industrial Development on Legal Description SE ¼-5-39-19-4 located at 4410 – 48 Street 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 approve Subdivision Application 2008-04 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. The application is consistent with the proposed Outline Plan to create an eight lot Industrial Subdivision.

And further, in accordance with Sections 654 and 655 of the *Municipal Government Act*, the Town of Stettler Council approves Application 2008-04 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 a deferred reserve caveat is registered on the remainder of the subject lands to provide for Municipal Reserves owing.
3. The applicant must follow the rules and regulations as specified in the Water Act Approval received from Alberta Environment, and any other relevant Provincial and Federal legislation.
4. The applicant must provide the Town of Stettler compensation set out in the Water Act Approval for filling of Wet Lands prior to subdivision endorsement.
5. The applicant must enter into a Development Agreement with the Town of Stettler to install/construct necessary storm water infrastructure to ensure further filling on the lands do not unduly affect neighboring parcels which will consist of constructing a storm line as identified on the applicant proposed outline plan for the area and register the corresponding Public Utility Lot. This agreement will require securities in the form of a letter of credit to ensure all necessary works are completed. This agreement must be entered into with the Town of Stettler and all securities in place prior to the endorsement of the consent to register for this subdivision.

6. The applicant must ensure that any outstanding property taxes on the land being subdivided are paid or satisfactory arrangements are made thereto the Town of Stettler.

MOTION CARRIED (4 – 1)  
Opposed: Councillor Dennis with  
the abstention of Mayor Hunter

12. **Items Added:**

- (a) Request for Certificate Condominium Plan

Development Officer, W. Holowachuk advised that the applicant (Kneeland & Sons Construction) is dividing a triplex into three individual units on Lot 21, Block 4, Plan LIV and Lot 26, Block 4, Plan 872 2809 located at 5003, 5005 & 5007 - 49 Street.

Notice of an approved development permit was issued on April 28, 2008 as a permitted use.

Staff has assessed this application against the provisions outlined in the Town of Stettler's Land Use Bylaw 1797-98 and the Condominium Property Act.

**Motion 08:11:08**

Moved by Councillor Thorogood that the Request for Certificate Condominium Plan from Kneeland & Sons Construction to divide a triplex into three individual units has been assessed in accordance with the Condominium Property Act and it is recommended that the application be approved as per Tentative plan for the following reasons:

1. That the application is consistent with the Condominium Property Act.
2. The application is consistent with the Town of Stettler's Land Use Bylaw.

And further, in accordance with Section 10(1)(b)(ii) of the Condominium Property Act, the application is approved and the applicant shall receive a certificate of the municipal authority stating that the proposed division of the building, as illustrated in the plan, has been approved by the municipal authority.

MOTION CARRIED  
Unanimous with the abstention of  
Mayor Hunter

Mayor Hunter returned to the meeting and reassumed the chair.

5. **Delegations:**

- (a) 7:15 P.M. re: Sports Park Fundraising Committee

Delegation member Graham Scott, GIS Technician entered the meeting at 7:25 p.m.

G. Scott commenced with a power point presentation developed to promote the proposed new park and to assist with fundraising initiatives and sponsorship opportunities.

Discussion ensued regarding the dimensions of the baseball fields; one being regulation baseball and three being regulation softball.

The cost for the project at complete build-out is estimated at \$1.4 to \$1.5 million dollars, however initial construction will be scaled to available funds. It was stated that a significant amount of Provincial funding is anticipated, however is has not been formally announced to date.

Mayor Hunter thanked G. Scott for his informative presentation.

G. Scott departed the meeting at 7:40 p.m.

8. **Minutes:** (a) Stettler Town & Country Museum Meeting of October 20, 2008

**Motion 08:11:09** Moved by Councillor Richards that the Minutes, item 8(a) be accepted for information.

MOTION CARRIED  
Unanimous

9. **Public Hearing:** (a) None

10. **Bylaws:** (a) Bylaw 1976-08 re: Draft Land Use Bylaw

This item was dealt with later in the meeting.

11. **Correspondence:** (a) E-Mail re: Royal Canadian Legion Veterans Appreciation

Town Manager, R. Stoutenberg advised that this request cannot be accommodated as per Town policy. A letter will be sent to the Legion.

- (b) Memo re: Seniors Fall Prevention Month

Director of Finance & Administration, G. Switenky advised that the Alberta Centre for Injury Control and Research is seeking Council's support by recognizing November as Seniors Fall Prevention Month by way of a proclamation from the Town of Stettler.

**Motion 08:11:10** Moved by Councillor Peeples that the Town of Stettler Council have Mayor Hunter sign the proclamation recognizing November as Seniors Fall Prevention Month.

MOTION CARRIED  
Unanimous

- (c) Senior Citizens Lodge Assistance Program (LAP) Grant

It was mutually agreed that the Town will send letters of support to appropriate agencies.

- (d) Camrose News – Agreement Between City and County "A Milestone"

- (e) City Hall Considering "Pay-As-You-Throw" Fee

- (f) City to Hold Contractors Accountable for Sidewalk Deficiencies
- (g) Six New Rinks Will Ease Ice Crises
- (h) Important Update to Members – April 1, 2009 Delivery of EMS

**Motion 08:11:11**

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

MOTION CARRIED  
Unanimous

Mayor Hunter temporarily recessed the meeting at 7:55 p.m.

Mayor Hunter reconvened the meeting at 7:58 p.m.

10. **Bylaws:**

- (a) Bylaw 1976-08 re: Draft Land Use Bylaw

Contract Development Officer, Dave Dittrick entered the meeting at 7:58 p.m.

D. Dittrick reviewed the proposed amendments to the Draft Land Use Bylaw 1976-08.

Discussion ensued regarding the adding of garage suites above grade and that the floodway and flood fringe regulations are restrictive because approximately 20% of the Town is considered within the floodway given outdated provincial mapping. Also that the Mobile Home Park minimum floor area is too large at 100 m<sup>2</sup>.

It was also stated that a clause to regulate adult entertainment establishments could be added should Council desire specific controls.

It was mutually agreed that this bylaw will return to Council at the first meeting in December to allow Council Members additional time to review the proposed bylaw.

D. Dittrick and W. Holowachuk departed the meeting at 8:17 p.m.

12. **Items Added:**

- (a) Request for Certificate Condominium Plan

This item was dealt with earlier in the meeting.

13. **In-Camera Session:**

- (a) Discussion re: Annexation Meeting Preparations
  - Review of Camrose Annexation Terms
  - Review of Town of Stettler Proposal
  - Notice of Next Meeting Date
- (b) CUPE Negotiations Update
- (c) Land Matters

**Motion 08:11:12**

Moved by Councillor Richards that the Town of Stettler Council proceed into an In-Camera Session with the Town Manager and Director of Finance & Administration present to discuss the item as presented on the In-Camera Agenda.

MOTION CARRIED  
Unanimous at 8:17 p.m.

**Motion 08:11:13**

Moved by Councillor Dennis that the Town of Stettler Council return to the regular meeting.

MOTION CARRIED  
Unanimous at 9:35 p.m.

**Motion 08:11:14**

Moved by Councillor Garbutt that the Town of Stettler Council approves ratifying an Agreement with the Canadian Union of Public Employees Local 971 as per the terms outlined in the Memorandum of Agreement as presented.

MOTION CARRIED  
Unanimous

14. **Adjournment:**

**Motion 08:11:15**

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

MOTION CARRIED  
Unanimous at 9:36 p.m.

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Mayor

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Director of Finance & Administration