

Town of Drumheller

COUNCIL MEETING

MINUTES



May 31, 2004 5:30 PM Council Chambers, Town Hall
703 - 2nd Ave. West, Drumheller, Alberta

PRESENT:

MAYOR:

Paul Ainscough

COUNCIL:

Karen Bertamini
Don Cunningham
Larry Davidson
Brent Pedersen
John Sparling
Harry Stables

CHIEF ADMINISTRATIVE OFFICER/ENGINEER:

Ray Romanetz

DIRECTOR OF INFRASTRUCTURE SERVICES:

Wes Yeoman

DIRECTOR OF CORPORATE SERVICES:

Michael Minchin

DIRECTOR OF COMMUNITY SERVICES:

Diana Meller

RECORDING SECRETARY:

Linda Handy

1.0 CALL TO ORDER

2.0 MAYOR AINSCOUGH'S OPENING REMARKS

2.1 Mayor Ainscough presented a letter from Hon. Ed Stelmach, Minister of Transportation regarding funding approval in the amount of \$200,000 for the signalization and related improvements at the intersection of Highway 9 and 6th Avenue.

2.2 Mayor Ainscough presented a letter from Brian Reid, Infrastructure Manager, Alberta Transportation regarding funding approval in the amount of \$467,100 for the 2004 Streets Improvement Program.

2.3 Mayor Ainscough presented a letter from Jean Graham, David Thompson Health

Region advising of their 100 year anniversaries for a number of historic hospitals and health-care facilities. The DTHR will be sponsoring a publication to showcase these early health-care facilities with brief histories and photographs.

2.4 Mayor Ainscough presented a letter of resignation from Brian Gushaty from memberships on the Municipal Planning Commission and Airport Commission. Mayor Ainscough extended his appreciation to Mr. Gushaty for his years of service on these boards.

2.5 Mayor Ainscough proclaimed June 6th – 12th as Seniors Week – Alberta Seniors Building and Contributing.

2.6 Mayor Ainscough proclaimed June 13th at Rick Hansen Wheels in Motion Day.

2.7 Mayor Ainscough presented a letter from Hon. Gene Zwozdesky, Minister of Community Development regarding a per capita funding for the 100th anniversary as a province within Confederation. The Town of Drumheller will receive \$24,134 from the Alberta Centennial Per Capita Municipal Grant Program for our initiatives in commemoration of Alberta's centenary.

2.8 Mayor Ainscough presented a letter from Mr. Derek Dekeyser requesting permission for a Harley Appreciation Rally motorcycle parade following their Show and Shine event, which would be held in downtown Drumheller, Saturday, July 10, 2004 from 10:00 AM – 12:00 PM. There would be approximately 1000 motorcycles in the parade.

Council directed Administration to review the proposal and to respond to Mr. Dekeyser's request with approval conditions.

3.0 PUBLIC HEARING

4.0 ADOPTION OF AGENDA

MO2004.120 Davidson, Pedersen moved the adoption of the agenda as presented. Cd.

5.0 MINUTES

5.1.1 ADOPTION OF REGULAR COUNCIL MEETING MINUTES – May 17, 2004

MO2004.121 Davidson, Pedersen moved the adoption of the minutes of May 17, 2004 as presented. Cd.

5.2 MINUTES OF MEETINGS PRESENTED FOR INFORMATION

5.2.1 Municipal Planning Commission – April 30, 2004

5.2.2 Municipal Planning Commission – May 6, 2004

5.3 BUSINESS ARISING FROM THE MINUTES

6.0 DELEGATIONS

7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS

8.0 REQUEST FOR DECISION REPORTS

8.1 CAO

8.1.1 R. Romanetz presented Bylaw 12.04 being a bylaw to establish the 2004 mill rates. The bylaw outlines the tax rates to be charged on all taxable properties in Drumheller as part of the general tax levy for 2004. He compared the millrates to previous years and he noted that the 2004 residential millrate is 16.9245 which has decreased from 2003 at 17.0900 and the 2004 commercial millrate is 19.9768 which has decreased from 20.5080. He noted that there is a slight reduction in the school rate as well.

MO2004.122 Pedersen, Sparling moved first reading to Bylaw 12.04. Cd.

MO2004.123 Davidson, Cunningham moved second reading to Bylaw 12.04. Cd.

MO2004.124 Bertamini, Pedersen moved no objection to third reading. Cd.

MO2004.125 Davidson, Stables moved third reading to Bylaw 12.04. Cd.

8.1.2 RFD – 2004/05 Strategic Business Plan

R. Romanetz presented the 2004/05 Strategic Business Plan and advised that Council considered the document at their Committee meeting of May 25th. He noted that minor changes were made to the document to exclude decision making guidelines – this portion of the document will be included for information only.

MO2004.126 Sparling, Pedersen that the 2004/05 Strategic Business Plan be approved as presented. Cd.

8.1.3 RFD – Water Supply Agreement with Kneehill Regional Water Services Commission

R. Romanetz presented the Water Supply Agreement between Kneehill Regional Water Services Commission and the Town of Drumheller. He noted that minor changes have been made as follows: Page 2 – “Best Efforts” was changed to “Commercially Reasonable Efforts” – the definition remains the same; Page 7 Clause 4 – requirement for two months notice to annually forward to the Commission the rates to be charged for water – new date November 1st; Page 11 Clause (r) the previous clause was based on the City of Red Deer’s water supply agreement – they do not use fluoride; Drumheller does add fluoride to the water. The Commission must accept the fluoridated water with no right of appeal; Page 12 Clause 9 - namely the water agreement identifies that any prior agreements for the supply of water will take precedent in the event of water shortages. He further explained that the priority for water is based on water used for normal domestic and municipal purposes. R. Romanetz explained that in the event of any water shortages, water will be rationed accordingly and it is left to the Commission’s judgment to ration water amongst their customers. Page 19 Schedule A – include both words “commercial or industrial” development within the Commission’s boundaries. Schedule B – defines the boundaries and includes portion of Rockyview No. 44 and

surrounding area. Schedule C - the first payment for capital contributions will be on January 1st, 2005 and upon completion of project or by December 31, 2005. Schedule D - identifies points of delivery for the transmission main route. R. Romanetz clarified that the Town owns that portion of the line within Drumheller's boundaries. The water meter will be installed at the Town's expense. R. Romanetz advised that the Commission has approved the agreement.

MO2004.127 Stables, Bertamini that Council approve Water Supply Agreement between Kneehill Regional Water Services Commission and the Town of Drumheller as presented. Cd.

8.1.4 RFD – Appointment Weed Committee

R. Romanetz advised that under Bylaw 14.00 and the Weed Act, there is a requirement for Council to appoint a Weeds Committee on an annual basis, which would hear appeals on weed notices. He explained that in the past, most complaints received related to the individual being invoiced and their concern over the number of hours billed by a contractor to carry out this work. The Committee's job is to determine if they have a valid basis. He further explained that in the previous years, the Public Works Committee had assumed the responsibility of the Weeds Committee.

MO2004.128 Bertamini, Pederson that Councillors Bertamini and Stables be appointed to the Weed Committee. Cd.

8.2 Director of Infrastructure Services

8.3 Director of Corporate Services

8.4 Director of Community Services

8.4.1 RFD – Vending Services

D. Meller presented the Theme Park Carts' proposals for three separate vending locations within the Town of Drumheller. She explained under the Town's bylaw, "Council may by resolution designate any area, park, street, or part thereof within the Town as a street vending area and may set the license fee for such designated area." The bylaw further states that no person shall use any area, park, or street for selling unless they are the holder of a license issued by the Town, and where the vending license is used during a special event, the Town may impose additional conditions.

D. Meller reviewed the three proposals as follows:

First request: To operate a Mobile Bicycle Ice Cream Cart within the Town and the communities within Town limits. Administration is supportive of this request, providing the operator complies with the Traffic Safety Act requirements, avoids riding on sidewalks, vends in residential areas, and avoids commercial centres.

Second request: To operate an Ice Cream Cart within the Town and the communities

within the Town limits. There is a precedent for this request – Community Services has authorized a cotton candy vending service for Rosedale Swinging Bridge for the past three years. Administration is recommending offering a similar arrangement for Riverside, Newcastle and McConkey Park.

Third request: To operate a Hot Food vending unit in the downtown core, with a number of specific sites to be approved. A map indicating the proposed locations for the Hot Food Vending was provided. The areas included either Town sidewalk, park, or parking lot. The request indicated that it would be a mobile operation operating from no specific location. Administration is recommending that one site be named by Council as an exclusive vending unit for 2004 only. Research of other municipalities' bylaws was completed. Where moving was allowed, it was on first come, first served basis. Most vendors were sold a specific site. Notable was that in all cases, the vendors were required to provide commercial liability insurance. This is not a requirement under our existing bylaw. Because of the request to vend in the downtown core, a number of downtown businesses were polled for their reaction to the proposal. The majority of businesses were not supportive of daytime vending, except for limited special events activities (like Sundown Saturdays). There was support shown for vending after 9:00 PM. This is reflected in the final recommendation.

Councillor Bertamini asked if the vending services would be included at the Hoodoos site. R. Romanetz noted that the camp kitchen is under the Town's jurisdiction however vending service operations in the past (1998 – 1999) were not successful. Councillor Sparling stated that he would be against vending services at the Hoodoos because it is a natural attraction and there may be concerns with blowing litter.

Council concurred that no vendor should be allowed to operate without the commercial liability insurance. Council expressed a concern regarding more garbage in the downtown core. R. Romanetz stated that clean up will be included as a condition for approval as well.

D. Meller stated that Council could consider a single application or ask for other proposals. D. Meller stated that a Request For Proposal could be prepared next spring which would address the number of vendors and locations in other areas excluding Centennial Park as this location which would be considered separately. Mayor Ainscough stated that he would like to see the ice cream cart or another type of service in the John Anderson Park and other ball parks. D. Meller stated that Centennial Park provides two exclusive vending operations, however other ball parks would be covered under the ice cream cart request. Councillor Stables asked if other minor ball groups would be prohibited from selling their goods at such locations as Midland Diamond if they were not licensed. R. Romanetz advised that non profit organization would be permitted to sell their goods.

Councillor Bertamini asked if a safer spot for vending services would be in the parking

lot on Railway Avenue. R. Romanetz stated that Administration is presenting the request which was received from the vendor for a specific location in front of the Octane – he identified the area on the map. He further noted that the licensing bylaw governs distances from crosswalks, etc. for vendors. He explained that Mr. Pringles' proposal complies with the bylaw as written.

MO2004.129 Relating to the request to operate a Mobile Ice Cream Cart

Davidson, Bertamini that Council authorize Administration to process the license for one Mobile Ice Cream Cart within the Town limits excluding Centennial Park, and those land use classifications of DT, CB and CI.

Councillor Stables requested that the word “one” be removed from the motion. Councillor Bertamini requested that Administration ask the vendor to provide commercial liability insurance as part of the conditions for approval.

Davidson and Bertamini agreed to the amendments.

MO2004.129 as amended: Davidson, Bertamini that Council authorize Administration to process the license for a Mobile Ice Cream Cart within the Town limits excluding Centennial Park, and those land use classifications of DT, CB and CI and for Administration to request that the vendor provide commercial liability insurance. Cd.

MO2004.130 relating to the request to operate a Ice Cream Cart: Pedersen, Stables that Council authorize Administration to process a license for an Ice Cream Cart to vend in the parks known as Riverside Park, Newcastle Park and McConkey Park. Cd.

MO2004.131 relating to the request to operate a Hot Food Vending Unit in the downtown core: Stables, Cunningham that Council establish one exclusive vending site in the downtown core, as per attached map. Vending at the site will be restricted to the hours of 9:00 PM to 3:00 Am and to operators who are over the age of eighteen.

Discussion on Motion:

Councillor Bertamini asked that Insurance be included for all vending locations. Councillor Stables asked that the word “one” be struck. D. Meller stated that this location was to be exclusively one unit. Councillor Pedersen requested that vending services be reviewed on an annual basis – numbers and locations to be reconsidered by Council next year. R. Romanetz stated that Administration will follow guidelines as addressed in the bylaw for all three proposals.

Amendment to Motion MO2004.131 Sparling Cunningham that MO2004.131 include the words “for 2004” one exclusive vending site in the downtown core. Cd.

MO2004.131 as amended: Stables, Cunningham that Council establish for 2004

one exclusive vending site in the downtown core, as per attached map. Vending at the site will be restricted to the hours of 9:00 PM to 3:00 AM and to operators who are over the age of eighteen. Cd.

8.4.2 Downtown Revitalization Survey Results

D. Meller stated that the Town has received the compilation of the Downtown Revitalization survey results, which will be presented at Council's next Committee Meeting on June 7th.

9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION **(Quarterly Reports due July 26, 2004)**

- 9.1 CAO
- 9.2 Director of Infrastructure Services
- 9.3 Director of Corporate Services
- 9.4 Director of Community Services

10.0 PUBLIC HEARING DECISIONS

11.0 DELEGATION DECISIONS

12.0 UNFINISHED BUSINESS

13.0 NOTICES OF MOTIONS

14.0 COUNCILLOR REPORTS

14.1 Councillor B. Pedersen reported that he attended the Emergency Week Events on May 22nd. He noted that the attendance was poor due to the lack of advertising and news releases. He commended both the Fire and EMS Department for their efforts and continued service to the Town.

14.2 Councillor L. Davidson advised that the proceeds from the DRCDT's Golf Tournament will be donated to Ronald McDonald's House and to the Drumheller Public Library for children books.

15.0 IN-CAMERA MATTERS MO2004.132 Sparling, Pedersen that Council go into camera at 6:25 PM.

- 15.1 Extra Foods
- 15.2 878947 Alberta Ltd. - Revitalization Corporation Meeting Update

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There being no further business the Mayor declared the meeting adjourned at 6:45 PM.

MAYOR

CHIEF ADMINISTRATIVE OFFICER