

Town of Drumheller

COUNCIL MEETING

MINUTES



May 2, 2005 4:30 PM Council Chambers, Town Hall
703 - 2nd Ave. West, Drumheller, Alberta

PRESENT:

MAYOR:

Paul Ainscough

COUNCIL:

Karen Bertamini

Don Cunningham

Larry Davidson

Karen MacKinnon

Sharel Shoff

John Sparling

CHIEF ADMINISTRATIVE OFFICER/ENGINEER:

Ray Romanetz

DIRECTOR OF INFRASTRUCTURE SERVICES:

Wes Yeoman

DIRECTOR OF CORPORATE SERVICES:

Michael Minchin

DIRECTOR OF COMMUNITY SERVICES:

Scott Blevins

RECORDING SECRETARY:

Linda Handy

1.0 CALL TO ORDER

2.0 MAYOR AINSCOUGH'S OPENING REMARKS

2.1 Mayor P. Ainscough presented a letter from Hon. Rob Renner, Minister of Municipal Affairs regarding the new Alberta Municipal Infrastructure Program. The Town of Drumheller will receive \$1,478,575 each year for three years, based on population estimates for 2006.

2.2 Mayor P. Ainscough proclaimed May 1 to 7 as Emergency Preparedness Week

2.3 Mayor P. Ainscough proclaimed May 8 to 14 as Building Safety Week

2.4 Mayor P. Ainscough proclaimed May 8 to 15 as Crime Prevention Week

2.5 Mayor P. Ainscough presented an Alberta News Release on the commemorating of the

National Day of Mourning for people who have been injured, killed or disabled on the job.

3.0 PUBLIC HEARING

4.0 ADOPTION OF AGENDA

Additions to the Agenda: 14.1 Councillor L. Davidson – Economic Development Conference; 14.2 Councillor S. Shoff – Valley Bus; 14.3 Councillor S. Shoff – Library; 14.4 Mayor P. Ainscough – Bull Arama

MO2005.78 Davidson, Sparling moved the adoption of the agenda as amended. Cd.

5.0 MINUTES

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

5.1.1 Council Regular Meeting - April 18, 2005

MO2005.79 Cunningham, Davidson moved the adoption of the regular Council meeting minutes of April 18, 2005 as presented. Cd.

5.2 MINUTES OF MEETINGS PRESENTED FOR INFORMATION

5.2.1 Municipal Planning Commission - April 7, 2005

5.2.2 Municipal Planning Commission – April 14, 2005

5.3 BUSINESS ARISING FROM THE MINUTES

6.0 DELEGATIONS

6.1 85/15 Drumheller Composite High School

Mrs. Lynn Hemming, DCHS teacher and Counsellor along with members of the Addictions Task Force (Cst. Matt Lavalley, Jerry Mancini and Cora Bolt) provided an overview of the 85 /15 campaign. She stated that the Task Force offers a proactive approach by offering an educational and counselling program for teens. She stated that an intensive student survey was carried out at DCHS to get an accurate reading of the students who use drugs and alcohol (400 students were surveyed). The stat results showed that 15% of the students surveyed are either smoking pot or consuming alcohol 1-3 times per week; 85% of the students do not smoke pot or use alcohol on a regular basis. She stated that the public's perception is that Drumheller is known as the worst place for drugs. She further stated that these survey results can be used as solid facts to confront these misconceptions. She stated that the community reaction to the survey was overwhelming with positive feedback from their initiatives.

Mayor and Council thanked Mrs. Hemming and the Task Force for their presentation.

7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS

8.0 REQUEST FOR DECISION REPORTS

8.1 CAO

8.1.1 Bylaw 08.05 being a bylaw to cancel certain portions of an undeveloped subdivision (Hillsview Subdivision) – Second and Third Reading

R. Romanetz presented Bylaw 08.05 which cancels roads within the Hillsview subdivision for the purpose of creating a new plan. Following first reading, a public hearing was held and the bylaw was forwarded to the Minister of Infrastructure and Transportation for his approval. The Bylaw received Ministerial approval on April 20th and the CAO recommended that Council proceed to second and third reading. He noted that the subdivision application has been approved by Palliser Regional Municipal Services and the new subdivision plan should be registered by the end of May. He stated that Administration has been fast tracking the project since mid-January.

MO2005.80 Bertamini, Shoff for second reading to Bylaw 08.05. Cd.

MO2005.81 Davidson, Shoff for third reading to Bylaw 08.05. Cd.

8.1.2 Bylaw 10.05 Borrowing Bylaw (Rosedale Forcemain) – First Reading

R. Romanetz presented Bylaw 10.05 being a borrowing bylaw for the Rosedale Forcemain.

He explained that Section 254 of the Municipal Government Act requires the Town to pass a borrowing bylaw prior to the construction of any capital project that is to be funded in whole or in part by borrowing. He stated that three bylaws are being presented this evening for Council's consideration and one is long term borrowing (in excess of five years). Bylaw 10.05 is a long term borrowing bylaw for the construction of the Rosedale Wastewater Forcemain and is subject to the requirements of Section 258 of the MGA being the term of the loan must not exceed the life of the asset, it must be advertised for two weeks before second and third reading, and an additional period of 15 days during which the public at large can bring forth a petition. He recommended that Council proceed with first reading.

MO2005.82 Bertamini, Sparling for first reading to Bylaw 10.05. Cd.

8.1.3 Bylaw 11.05 Borrowing Bylaw (Hillsview) – First Reading

R. Romanetz presented Bylaw 11.05 being a bylaw for the purpose of funding the Hillsview Subdivision. It is the Town's intent to borrow for a period not to exceed four (4) years. Because this is less than the 5 year time period, there is no requirement for advertising. He stated that Council may wish to consider first reading or all three readings. He further explained that there is no urgency for finalizing this bylaw as the installation of services is not scheduled for completion until mid-July. He further noted that the amount for borrowing may not be as much as identified in the bylaw. He stated that it is not the Town's intention to go through Alberta Capital Financing Authority but to borrow from the bank that offers the best interest rate with flexible payout options.

MO2005.83 Davidson, Sparling for first reading to Bylaw 11.05. Cd.

MO2005.84 Bertamini, Sparling for second reading to Bylaw 11.05. Cd.

MO2005.85 Bertamini, Shoff moved no objection to third reading.

One opposed. Third reading delayed to next meeting.

8.1.4 Bylaw 12.05 Business Tax Rate for 2005 – Three Readings

R. Romanetz presented Bylaw 12.05, which is an annual bylaw required under the Municipal Government Act, Section 377. This bylaw establishes various rates charged for business on assessable land. M. Minchin noted that there is one slight amendment which now includes Clause 4 dealing with the deadline for payment from April 30th to June 30th – this change supersedes the deadline clause referred to in Bylaw 14.98 being the main business tax bylaw.

MO2005.86 Davidson, Shoff for first reading to Bylaw 12.05. Cd.

MO2005.87 Shoff, Cunningham for second reading to Bylaw 12.05. Cd.

MO2005.88 Bertamini, Shoff moved no objection to third reading of Bylaw 12.05. Cd.

MO2005.89 Bertamini, MacKinnon for third reading to Bylaw 12.05. Cd.

8.1.5 Bylaw 13.05 Borrowing Bylaw (Hygrade) – First Reading

R. Romanetz presented Bylaw 13.05 being a bylaw for the purpose of funding Phase 2 of the Hygrade Subdivision. It is the Town's intent to borrow for a period not to exceed four (4) years. There is no requirement for advertising,

MO2005.90 Bertamini, Sparling for first reading to Bylaw 13.05. Cd.

MO2005.91 Sparling, Shoff for second reading to Bylaw 13.05. Cd.

MO2005.92 Bertamini, Shoff moved no objection to third reading of Bylaw 13.05. Cd.

One opposed. Third reading delayed to next meeting.

8.2 Director of Infrastructure Services

8.2.1 RFD – Hillsvieview Subdivision and Hygrade Earth Grading and Underground Utilities Tender Award

W. Yeoman advised that the tenders closed for the above noted projects on April 26th. Three bids were received with the lowest bid submitted by Brooks Asphalt & Aggregate Ltd. in the amount of \$597,694.51 including GST. He noted that the engineer's construction estimate prepared prior to tendering was \$760,000. He recommended that Council approve the low bid from Brooks Asphalt. He stated that he is confident there are no errors on the tender.

MO2005.93 Sparling, Davidson approves the awarding of the tender for the earth grading and underground utilities construction for the Hillsvieview and Hy-grade subdivisions to Brooks Asphalt and Aggregate Ltd. in the amount of \$597,694.51 including GST.

Councillor L. Davidson asked the expected completion date. W. Yeoman stated that the

completion date is July 15th and the contractor has agreed to this date.

Vote on Motion: Carried.

8.2.2 RFD – 2005 Street Improvement Program Tender Award

W. Yeoman advised that tenders closed for the above noted project on April 27th, 2005. Tenders submissions were received from South Rock Ltd. and Brooks Asphalt and Aggregate Ltd. with the lower bid received from South Rock Ltd. in the amount of \$1,914,507.70. He advised that the engineer's construction estimate prepared prior to tendering was over \$2,200,000.00. South Rock indicated in their letter that they can start the project on July 1st with sections of Hwy 10 overlay to commence early September. It is not the Town's intent for this project to interfere with tourist activity. The local roads will be first on the schedule to start on July 1st. Hy-grade and Hillview will start immediately thereafter.

MO2005.94 Cunningham, Bertamini that Council approve the awarding of the tender for the 2005 Street Improvement Program to South Rock Ltd. subject to approval from Alberta Infrastructure and Transportation.

Councillor Bertamini asked the terms of payment from the Province. R. Romanetz stated that the Town will invoice the Province as soon as South Rock Ltd. submits a claim for the Provincial portion of the project. He further noted that Alberta Infrastructure has recognized the Town's concern with late reimbursements in the past.

Councillor L. Davidson asked that the amount of the tender be included in the Motion. Cunningham, Bertamini agreed to the amendment. W. Yeoman clarified that the amount is a combined figure with costs from the Town of Drumheller and Alberta Infrastructure projects.

MO2005.95 Davidson, Shoff moved to amend MO2005.94 to include the total tender amount of \$1,914,507.70. Cd.

MO2005.94 AMENDED Cunningham, Bertamini that Council approve the awarding of the tender for the 2005 Street Improvement Program to South Rock Ltd. subject to approval from Alberta Infrastructure and Transportation in the amount of \$1,914,507.70. Cd.

8.3 Director of Corporate Services

8.3.1 Alberta Municipal Services Corporation Notice re: Additional Named Insureds

M. Minchin presented information from Alberta Municipal Services Corporation which advised that additional named insureds must be municipal related, such as in the case of Drumheller Recycling Association and Drumheller and District Solid Waste Management Association. He stated that he is not certain about the status of Community Associations as they have no affiliation (judiciary accountability) with Town. If this is the case,

Community Associations may have to find their own insurance provider.

8.4 Director of Community Services

8.4.1 RFD - Centennial Project

S. Blevins requested Council's direction for the selection of one of the projects submitted by the Centennial Committee. The amount of the Provincial grant received is \$24,134.00. He highlighted the projects as follows: Communities in Bloom – Flower Bed Project at the Water Treatment Plant – the project will include a 15' x 10' flower bed shaped like the Province with three flag poles set behind the bed (project costs \$14,400.00); Contribute to the purchase of the bulkhead for the Aquaplex; Hoodoo Models located in the downtown core;

Councillor L. Davidson expressed disappointed that there was no library project considered.

R. Romanetz stated that the grant criteria stipulates capital project in nature.

MO2005.95 Shoff, Sparling for the grant dollars to be used for the Communities in Bloom project which includes a flower bed at the Water Treatment Plant and three flag poles; and further that the remainder of the dollars go towards the Hoodoos project.

Clarification on Motion:

Councillor K. Bertamini stated that dollars should come from the Parks budget for the type of Community in Blooms project being proposed. She questioned who would provide the maintenance on this project and if the existing Canadian Flag flowerbed would be removed.

She questioned the cost for the flag poles. W. Yeoman stated that in discussions with John Szureck, member of the Centennial Committee, he confirmed that it is the Community in Blooms intention to remove the existing Canadian Flag flowerbed. He also noted that the flag poles are costly because of their quality (top of the line) with an internal mechanism to raise and lower the flag. Councillor L. Davidson stated that he would prefer a project that would showcase the community.

Vote on Motion:

4 in favour

3 opposed

Cd.

9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

(Quarterly Reports due May 2, 2005)

9.1 CAO

In response to Council's questions, the CAO provided the following comments: There has been no direct response from Minister Oberg on the Town's request to be considered for grant funding under the new regional cost sharing formula. Starland did receive a negative response from Minister Oberg advising that upgrades to Drumheller's WTP would be only cost shared 1/3 by the Province; the Town has not yet received a response – further

lobbying required. The other negative response received from the Province was for an increase grant for the tourist booth operations. Council agreed that both matters should be brought forward to Hon. S. McClellan at the earliest opportunity. Rosedale / Cambria Water Line application has not been approved as of yet however the recent Provincial budget announced significant increases however these dollars will not be available until 2007/08. Councillor L. Davidson asked if the Town could receive approval in principal so that the Town can proceed with preliminary work as the Town needs to supply water to the citizens. R. Romanetz stated that Administration has been inquiring about approval on a regular basis – there is no guarantee as to when funding will be received – it could be 6-7 years later that funding comes through as experienced by other municipalities. R. Romanetz stated that major regional projects are taking the bulk of the funding.

9.2 Director of Infrastructure Services

9.3 Director of Corporate Services

In response to a question from Council, R. Romanetz advised that the risk management duties are now be handled through M. Minchin. He further noted that Administration is looking at this position and how the former duties can be shared among the staff. In reviewing the needs of the organization, the position is being redesigned to include grant research and communications. He stated that Administration will present a revised job description to Council for their consideration shortly. In response to a question from Council, M. Minchin advised that the Risk Management Committee addresses issues and audit results to ensure the organization is performing in accordance with the OH&S Act and Regulations.

9.4 Director of Community Services

Council requested that the RCMP present their quarterly report at a Council / Committee meeting.

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 L. Davidson reported that he along with Mayor P. Ainscough attended the Economic Development Spring Conference in Pincher Creek. Some items of discussion included the wind farm operations, irrigation canals, rejuvenation of the community, the need to work collectively, the export market - opportunities in the far east, world production on oil and gas market, and expanding tourism marketing opportunities to create a year

around market. He advised that the Fall Conference will be held in September.

14.2 Councillor S. Shoff reported that Valley Bus Society held their General Meeting on April 20th with eight members in attendance. The new executive was appointed with Frank Frazer as President, Gunner Mortensen as Vice-President and Arla Nelson as Secretary as well as various committees were set up. She advised that the Society applied to Wheatland Country for a Seniors Transportation grant. She advised that their three year business plan is updated on an annual basis. She encouraged new members to join the Society.

14.3 Councillor S. Shoff reported that the Drumheller Public Library recognized their volunteers with a social event – Julie and Corinne Lensfesty were recognized as the Library's Volunteers of the Year. Collective management questionnaire was carried out to assess the needs for visually impaired and developed mentally handicapped; the results of the survey will be included in their three year business plan. She advised that the Alberta Foundation for the Arts will host an event on June 23rd. She asked Council to approve an alternate appointment to the Marigold Library Board – Mr. Ron Kenworthy has been appointed however Ingrid Thornton will attend in his absence.

MO2005.96 Sharel, Bertamini approved Ingrid Thornton as an alternate to the Marigold Library Board. Cd.

14.4 Mayor P. Ainscough advised that the Drumheller Merchants are planning to hold a Bull Arama on June 24th and a beer garden / dance on June 25th. They would like to use John Anderson Park for this event. Council directed Administration to prepare a report for their next meeting.

15.0 IN-CAMERA MATTERS MO2005.97 Shoff, Cunningham to go in camera at 6:18 PM. Cd.

15.1 Legal Plan 9710916 Block 12, Lot 5 & 6 (Valley Redi Mix)

15.2 Marketing Plan for Hillsvieview Subdivision

15.3 Proposed Commercial Land Sale

15.4 Community Facility

MO2005.98 Cunningham, Davidson to revert to regular Council Meeting at 7:50 PM. Cd.

15.1 Legal Plan 9710916 Block 12, Lots 5 & 6 (Valley Redi Mix)

MO2005.99 MacKinnon, Cunningham to approve the sale of Lots 5 & 6, Block 12, Plan 9710916 with building conditions and development as outlined. Cd.

15.4 Proposed Commercial Land Sale

MO2005.100 Bertamini, Sparling to approve the sale of that portion of Block 15, Plan

8811259 Drumheller (.129 acres +/-) to Walmart at market value, subject to registration of a restrictive covenant to ensure that the development meets site line requirements and grading concerns at the Cemetery, removal of a Cemetery Habendum Clause from the title which requires the consent of the Director of Cemeteries, subdivision approval and land use reclassification. Cd.

There being no further business the Mayor declared the meeting adjourned at 7:53 PM.

MAYOR

CHIEF ADMINISTRATIVE OFFICER