

Town of Drumheller

COUNCIL MEETING

MINUTES



May 16, 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

Absent: Wes Yeoman, Director of Infrastructure Services

1.0 CALL TO ORDER

2.0 MAYOR AINSCOUGH'S OPENING REMARKS

2.1 Mayor Ainscough proclaimed June 6 to 12, 2005 as Senior's Week.

2.2 Motion required to reschedule Council Committee Meeting of May 23rd to May 24th due to the Statutory Holiday.

MO2005.101 Sparling, Cunningham that the Council Committee Meeting of May 23rd be changed to May 24th due to the Statutory Holiday. Carried.

2.3 Motion to cancel Council Committee Meeting of June 6th

MO2005.102 Sparling, Cunningham that the Council Committee Meeting of June 6th be cancelled. Carried.

2.4 Mayor Ainscough presented a letter from Mr. Bobby Sheddy advising that Re/Max Drumheller is now on the MLS System, affiliated with Brooks Real Estate Board.

2.5 Mayor Ainscough announced the Mayors and Reeves Golf Tournament to be held in Trochu on June 16th.

3.0 PUBLIC HEARING

4.0 ADOPTION OF AGENDA

Additions to Agenda: 14.1 Councillor K. MacKinnon

MO2005.103 Cunningham, Davidson moved the adoption of the agenda as amended. Carried.

5.0 MINUTES

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

5.1.1 Council Regular Meeting - May 2, 2005

MO2005.104 Sparling, Shoff moved the adoption of the minutes as presented. Cd.

5.2 MINUTES OF MEETINGS PRESENTED FOR INFORMATION

5.2.1 Municipal Planning Commission - April 21, 2005

5.3 BUSINESS ARISING FROM THE MINUTES

6.0 DELEGATIONS

6.1 Gregory Harriman (2004 Audit Review)

Mrs. Karen Gregory presented an overview of the 2004 audit and the Management's Letter:

- Page 2 – Financial Statements – overall summary of the income statement and balance sheet:
Assets:
 - Cash and Temporary Investments – net cash and temporary investments declined from 2004 in the amount of \$532,726;
 - Trade Accounts Receivables decreased from previous year due to Airport grant being received in 2004 and expended in 2003;
 - Total Financial and Capital Assets \$86,582,146;Liabilities:
 - Bank Indebtedness as shown in Note 11 – the Town paid off their line of credit prior to December 31, 2005.
 - Deferred revenue represents municipal grants that the Town has received and has not spent the dollars yet (ME First – Water Treatment Plant);
 - A portion of Employee Benefit Obligations results from vacation accrual. She

recommended that Council adopt a policy on this matter;

- Long Term Debt paid down in the amount of \$239,000 as shown in Note 15;
- Total Liabilities and Municipal Equity \$86,582,146 resulting in a cash increase of approximately \$1.8m of which \$1.1m has been set aside for capital reserves;
- Page 5 – Schedule of Financial Activities and Change in Fund Balance:
 - Total Revenue \$9,986,048
 - Total Expenditures \$7,422,064;
 - Excess of Revenue Over Expenditures \$2,563,984;
- Auditor explained that the debt limit is calculated at 1.5 times revenue of the municipality. Total debt limit for the Town is \$15.6m and the current debt of the town is \$1.4m. Debt servicing limit is \$2.6m and the Town is expending \$543,208 on debt; the Auditor noted that the Town is not over extended in debt – keeping well within the debt limit as governed by the MGA.
- Management Letter to be reviewed by Administration and Council.

Mayor Ainscough thanked Karen Gregory for her presentation of the 2004 audit. She said that Council or Administration may contact her firm at any time if they require clarification on any item.

6.2 Drumheller Merchants – Bullarama - Arena

Mike Todor, Downtown Drumheller Merchants presented a new proposal for their Bullarama Event to be held on the weekend of June 24 and 25. He stated that a meeting was held with the Mayor and Town's Administration to discuss the feasibility of holding the event in the arena instead of John Anderson Ball Park. He explained that the Ag Society is agreeable to co-ordinating the two events on the same date. He further stated that the primary reason for the change of venue is that Minor Ball has arranged for a Provincial Ball Tournament to be held in June however these dates have not yet been confirmed. The Downtown Merchants did not want to conflict with their scheduling. He further explained that the purpose of the event is to create an opportunity to promote the downtown area and attract people into the downtown core. The Downtown Merchants intend to hold other associated events such as hay rides and gun fighting shootouts during these same dates. A further meeting was held with Infrastructure Services Staff to review the responsibilities associated with holding the event in the arena. He stated that holding the event in the arena would have positive aspects such as availability of washroom facilities and seating, concession in place, and an access is available for bulls to enter and exit. Councillor K. Bertamini asked how the Ag Society feels about the change of venue. M. Todor explained that the Merchants have met with the Ag Society however other than an agreement on profit sharing, no other details have been arranged until approval has been received by Town Council. Councillor L. Davidson asked if Minor Hockey was agreeable to running the concession? M. Todor stated that Minor Hockey has agreed to operate the concession during their event. Councillor K. MacKinnon asked if this would become an annual event?

M. Todor stated that the decision on an annual event would be dependent on the success of this event. Councillor K. MacKinnon asked if the Merchants would be willing to explore other ideas instead of an "Ag & Stampede Society related" event? M. Todor stated that the Merchants are willing to try all ideas to get people to come to the downtown core – the promoter of this event ensures that the Bullarama would do just that. Councillor L. Davidson asked where the profits would be allocated? M. Todor stated that any of the Merchants' profits would be expended on the downtown revitalization project.

Council asked Terry Yeman, President of the Ag Society to comment on the event. T. Yeman stated that Ag Society is agreeable to working together on this event however he expressed concern that this type of event would set precedent for other stampede related events to be held in the downtown core rather than at the stampede grounds. He further noted that in the past, the Ag Society was not allowed to host their events in the downtown core and in the future they may also like to hold an event in the downtown core. R. Romanetz explained that the Bullarama is a limited event that would not require the entire area of the arena as is required by a rodeo. Mayor Ainscough stated that approval for such events is dependent on the Council at the time of the request. In response to a Councillor's question concerning a rent charge, T. Yeman stated that the Ag Society questions why the Town who receives rent from the Ag Society would allow the Downtown Merchants to host a "stampede related event" outside of the property where rent is being paid. Council Sparling asked if the Town has supported the Ag Society? T. Yeman agreed that the Town has supported their events with in-kind contributions in the amount of \$1000's of dollars.

Mayor Ainscough asked CAO if the use of the arena is feasible for this event? R. Romanetz stated that the arena could be used for the Bullarama if the concerns addressed in W. Yeoman's memo of May 16, 2005 are addressed. He further noted that whether the event should be held there or not is a Council policy decision.

7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS

8.0 REQUEST FOR DECISION REPORTS

8.1 CAO

8.1.1 Bylaw 05.05 being a bylaw to closing a portion of an undeveloped public laneway in Cambria – Second and Third Reading

R. Romanetz presented Bylaw 05.05 which proposes to close a laneway in Cambria for the purpose of consolidating this parcel with the adjacent lot. 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 May 4th and the CAO recommended that Council proceed to second and third reading. There were no concerns raised by the utility companies.

MO2005.105 Davidson, Sparling for second reading to Bylaw 05.05. Carried.

MO2005.106 Bertamini, Shoff for third reading to Bylaw 05.05 Carried.

8.1.2 Bylaw 11.05 Borrowing Bylaw (Hillsview) – Third Reading

R. Romanetz presented Bylaw 11.05 being a bylaw for the purpose of funding the Hillsview Subdivision. First and second readings were given at Council's meeting of May 2nd and he recommended proceeding to third reading as no concerns were received from the public.

MO2005.107 Shoff, Sparling for third reading to Bylaw 11.05. Carried.

8.1.3 Bylaw 13.05 Borrowing Bylaw (Hygrade) – Third Reading

R. Romanetz presented Bylaw 13.05 being a bylaw for the purpose of funding Phase 2 of the Hygrade Subdivision. First and second readings were given at Council's meeting of May 2nd and he recommended proceeding to third reading as no concerns were received from the public.

MO2005.108 Davidson, Sparling for third reading to Bylaw 13.05. Carried.

R. Romanetz asked Michael Minchin to comment on the next three agenda items:

8.1.5 Bylaw 14.05 2005 Tax Rate – All Three Readings

M. Minchin presented Bylaw 14.05 being a bylaw to establish the 2005 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 2005. He noted that the 2005 residential millrate is 16.1365 and the 2005 commercial millrate is 18.4738. He stated that revenue for supplementary assessment has not been included – the Bylaw only covers annual taxation and general levy.

MO2005.109 Bertamini, Shoff for first reading to Bylaw 14.05. Carried.

MO2005.110 Davidson, Cunningham for second reading to Bylaw 14.05. Carried.

MO2005.111 Bertamini, Sparling moved no objection to third reading. Carried unanimously.

MO2005.112 Davidson, Shoff for third reading to Bylaw 14.05. Carried.

8.1.6 Bylaw 15.05 Business License – All Three Readings

M. Minchin presented Bylaw 15.05 for the purpose of providing the license and regulation of business in the Town of Drumheller. He stated that the bylaw is identical to the one presented to Council at their meeting of May 9th. He further stated that one change was put forward regarding the appeal deadline. In discussions with the Town's Solicitor, he noted that the current wording is adequate to ensure any appeal application gets on the Council agenda.

MO2005.113 Bertamini, Davidson for first reading to Bylaw 15.05. Carried.

MO2005.114 Cunningham, Sparling for second reading to Bylaw 15.05. Carried.

MO2005.115 Bertamini, Shoff moved no objection to third reading. Carried unanimously.

MO2005.116 Davidson, Shoff for third reading to bylaw 15.05. Carried.

8.1.4 RFD – Approval of 2004 Audited Financial Statements

M. Minchin advised that the Town's Auditor presented the 2004 audited financial statements to Council this evening and he recommended that Council proceed with approval.

MO2005.117 Sparling, Bertamini that Council approve the 2004 Audited Financial Statements for the Town of Drumheller as presented. Carried.

Council thanked Administration for their excellent efforts in keeping the Town's accounting records in good standing.

8.1.7 RFD – Hillsvie Subdivision Marketing Plan

R. Romanetz advised that a number of discussions have been held to prepare the Marketing Plan which includes: Residential Lot Draw – Requirements and Procedures; Land Sale Agreement; Architectural Development Guidelines; Subdivision Map; and Lot Size, Frontage and Price Schedule. On May 9th, Council discussed the requirements for the architectural controls and this is the only document that needs to be finalized. He referred to the proposed requirements for the R1 and R1A districts within the Hillsvie Subdivision. He stated that within the R1 district, it would be mandatory to construct a front attached garage. In the R1A, front attached garages are not mandatory but permitted and rear detached garages are permitted but not mandatory. He explained that the reasoning for this requirement is to ensure flexibility for the different lot sizes. He asked Council if they wish to remove the restriction in R1A and leave garages to the discretion of the MPC to ensure it is a good fit for the area. He explained that as it is worded now, the R1A district within the Land Use Bylaw allows for accessory buildings under discretionary uses.

He referred to Marshall Estate and noted that each developer sets his specific architectural control, such as a double attached front garage. Architectural controls are chosen by the developer to best market the property. R. Romanetz explained that there are eight (8) larger lots zoned R-1 and the remaining 24 lots are zoned R1-a; an individual has an option of purchasing either a R1 or R1-a lot.

MO2005.118 Sparling, Davidson that within the R1 district for the Hillsvie Subdivision front attached garages and driveways are mandatory and within the R1A, front attached garages are not required but permitted and rear detached garages are permitted but not mandatory. Carried.

MO2005.119 Sparling, Bertamini that Council adopt the Hillsvie Estates Subdivision Marketing Plan as amended; further than an open-house be held on May 24th at 6:30 PM at

Town Hall, Council Chambers; and further that the Lot Draw be held on June 7th at 7:00 PM, Town Hall, Council Chambers. Carried.

8.1.8 RFD – Community Facility Proposal

R. Romanetz advised that Council reviewed the proposal from Graham Edmunds for a Recreational Master Plan. He stated that the cost of the proposal is \$38,000 which would be funded from the operating contingency fund.

MO2005.120 Bertamini, Shoff that Council approve the proposal submitted from Graham Edmunds for consultant services for a Recreational Master Plan at a cost of \$38,000.00.

Clarification on Motion:

Councillor K. Bertamini stated that the original cost was \$35,000 and asked the reason for an increase to \$38,000. R. Romanetz advised that the additional cost provides for more flexibility and other options. She asked that Council be informed if the additional dollars are used.

Vote on Motion: Carried.

8.1.9 RFD – Red Deer River Municipal Users Group request for \$0.50 per capita

R. Romanetz advised that at their meeting of March 17th, the Red Deer River Municipal Users Group agreed to send out a letter asking municipalities to contribute \$0.50 cents per capita, which would equate to \$3,892.50 for Drumheller. He presented a draft budget for Council's consideration. He stated that the letter of request was submitted to 50 municipalities, of which 18 municipalities were in favour and 5 have declined because they are not impacted. A further 8 or 10 municipalities have responded stating that they are waiting for direction from their Council. He noted that he expects about 2/3's of the municipalities will be in agreement with the proposal.

MO2005.121 Bertamini, Sparling that Council authorize Administration to forward a cheque in the amount of \$3892.50 to the Red Deer Municipal Users Group Fund. Carried.

8.1.10 RFD – Solid Waste Management Grant Funding Agreement

R. Romanetz advised Drumheller and District Solid Waste Management Association and Alberta Environment are proposing to enter into an agreement under the Waste Management Assistance Program. Under this program, the Province will allocate a total of \$850,000 to be distributed over four years. The funds will be used for capital upgrades at the Drumheller & District Regional Landfill and expansion at Transfer Stations within the Drumheller & District Solid Waste Management service region. He stated that the document must be signed by the Solid Waste Management Association, the Town of Drumheller and all other participating municipalities. He referred to Clause 27 which states that *"Each Municipality participating in this project shall, by the signature of its*

representative upon this agreement, indicate its acceptance of these Terms and Conditions..". He noted that the municipality would have to pay these dollars back to the province if the assets are sold - key changes due to the problems the province has experienced in the past. He stated that the majority of the grant dollars will be used for earth liners for the solid waste cells and the leachette collection system to meet the requirements of the recent provincial approval for the landfill.

MO2005.122 Davidson, Bertamini that Council approve the proposed agreement between Alberta Environment, the Drumheller & District Solid Waste Management Association and the participating municipalities. Carried.

8.2 Director of Infrastructure Services

8.2.1 RFD – Purchase of New Tandem Truck

In the absence of W. Yeoman, R. Romanetz recommended that Council approve the purchase of a new Tandem Truck from the lowest bidder, Freightliner of Red Deer in the amount of \$81,808.00 (plus GST). The specifications for a new cab and chassis tandem truck were prepared using the City of Calgary's model. This new heavy duty unit will replace the fifteen year old GMC Tandem truck.

MO2005.123 Bertamini, Cunningham that Council approve the purchase of the new 2005 Freightliner Tandem Truck from Freightliner of Red Deer Inc. in the amount of \$76,456 plus GST.

Councillor L. Davidson asked if the box was included in this amount. R. Romanetz stated that the amount only includes the truck chasis – the box will be built by another company and purchased separately.

Vote on Motion: Carried.

8.2.2 Report on Rosedale Wastewater Forcemain Tender

R. Romanetz advised that the tenders were opened on May 12th and the results were disappointing. The Town budgeted \$1.1m and the tenders came in at \$1.7m. The original intent was to go with directional drilling in a number of areas however this appears to be too expensive and the Town may have to revert to installation in the right of way which may be more economical. Discussions are ongoing with the Consultants and a report will be brought back to Council in two weeks for consideration. Councillor L. Davidson recommended that a public meeting be held with Rosedale residents. R. Romanetz agreed that a meeting should be held to address any concerns once the funding issues are resolved.

8.2.3 RFD – West Nile Funding Agreement

R. Romanetz advised that the Province will provide grant funding under the Mosquito Larval Control Program in the amount of \$3 per capita.

MO2005.124 Bertamini, Shoff that Council authorizes the Town of Drumheller to participate in and submit a grant application under the Province of Alberta West Nile Virus Targeted Mosquito Larval Control Program; further that the Town of Drumheller agrees that Town of Drumheller be designated the managing partner for the purposes of receiving, administering, allocating, reporting, and accounting for the grant funds on behalf of the partners; and further that the Town of Drumheller agrees to enter into, or agrees to abide by the terms of a Conditional Grant Agreement signed by the managing partner on behalf of the other partner municipalities and / or approved participants governing the purpose and use of the grant funds. Carried.

Councillor L. Davidson asked if there was another grant program? M. Minchin advised that there are two grant programs, the one before Council this evening is for abatement and the second one from Capital Health is \$1.00 per capita for monitoring. Both programs are available for at least one more year.

8.3 Director of Corporate Services

8.3.1 RFD - Council Policy 02.05 Work Place Violence

M. Minchin presented Policy 02.05 which is a requirement under Section 390 of the Occupational Health and Safety Code. The policy was developed by the Town's Risk Management and Safety Committee over the past three months. The Policy outlines the primary responsibilities of management and employees as it relates to work place violence. An administrative procedure is also being development to implement the policy.

MO2005.125 Davidson, Shoff that Council approve Policy C2-05, Work Place Violence Policy.

Councillor L. Davidson recommended that Administration review the current Policy Manual with Council. R. Romanetz stated that once the final section of the HR Policy is completed, a review will be held.

Vote on Motion: Carried.

8.4 Director of Community Services

9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

(Quarterly Reports due August, 2005)

- 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

MO2005.126 Sparling, Davidson that Council accept the proposal by the Downtown Merchants to conduct a Bullarama Event at the Drumheller Arena subject to acceptable terms being negotiated with the Ag Society; and further that the conditions outlined by Town Administration as presented in the memo dated May 16th, 2005 be complied with.

Discussion held on the following:

- Cost of the facility - the rental could be free but any direct costs to employees' overtime will be billed.
- Setting precedent for other requests.
- A bond to be in place to ensure conditions are met.
- Agreement to be in place outlining conditions, including liability coverage.
- Any damage to the facility to be reported to Council.
- All related "Ag Society" events should be encouraged to be held at the Ag Society facility.
- Clarification that the Ag Society does not pay rent as referred to by Terry Yeman – it is a loan payment for improvements made to the water system at the facility by the Town of Drumheller.

Vote on Motion: Carried.

12.0 UNFINISHED BUSINESS

13.0 NOTICES OF MOTIONS

14.0 COUNCILLOR REPORTS

14.1 Councillor K. MacKinnon - Communities in Bloom Update.

Councillor K. MacKinnon advised that the Committee has a late start for the flower bed and flag poles project which may now impact the price for the cement work. She expressed concern that the project may be over the budgeted amount. S. Blevins advised that the quotes are normally based on a specific timeline and he confirmed that this may impact the cost of the cement work. R. Romanetz stated that the project may have to be scaled back or finances reallocated within their budget.

15.0 IN-CAMERA MATTERS

There being no further business the Mayor declared the meeting adjourned at 6:38 PM.

MAYOR

CHIEF ADMINISTRATIVE OFFICER