

Town of Drumheller

COUNCIL MEETING

MINUTES



December 11, 2006 4:30 PM Council Chambers, Town Hall
703 - 2nd Ave. West, Drumheller, Alberta

PRESENT:

ACTING MAYOR:

Karen Ann Bertamini

COUNCIL:

John Sparling

Don Cunningham

Karen MacKinnon

Sharel Shoff

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

Councillor Don Cunningham was sworn in as Deputy Mayor for the months of January and February, 2007

2.0 ACTING MAYOR'S OPENING REMARKS

2.1 Acting Mayor Karen Ann Bertamini presented the Drumheller High School Senior Girls Volleyball Team with a plaque and congratulated them for winning the Provincial Championships.

2.2 Acting Mayor Karen Ann Bertamini presented a letter from Dave Vanderkolk, Mayor, Village of Munson to Alberta Environment in response to the Notification that appeared in the local newspapers on MD of Rocky View's application for license approval under the provisions of the Water Act. In their letter, the Village of Munson advises that they object to the issuance of this license.

2.3 Motion required to cancel the next regular Council Meeting scheduled for December 25, 2006 and the next Committee Meeting scheduled for January 1, 2007

MO2006.342 Sparling, Cunningham to cancel the regular Council Meeting scheduled for December 25, 2006 and the Committee Meeting scheduled for January 1, 2007. Carried.

3.0 PUBLIC HEARING

3.1 Public Hearing to consider Bylaw 27.06 being a Bylaw to amend the Land Use Bylaw 36.98 by redesignating Plan 7410177 Lot 5 from A – Agriculture District to CR – Country Residential District

Acting Mayor Karen Bertamini called the public hearing to order at 4:49 PM.

There was no one present to speak in favor or in opposition to the proposed reclassification. Secretary, L. Handy advised that there were no items of correspondence.

Acting Mayor Bertamini closed the Public Hearing at 4:50 PM.

3.2 Public Hearing to consider Bylaw 28.06 being a Bylaw to amend the Land Use Bylaw 36.98 by redesignating LSD14, Section 15, Township 28, Range 19 W4M from SCR – Suburb Community Residential District to CR – Country Residential District

Acting Mayor Karen Bertamini called the public hearing to order at 4:50 PM.

There was no one present to speak in favor or in opposition to the proposed reclassification. Secretary, L. Handy advised that there were no items of correspondence.

Acting Mayor Bertamini closed the Public Hearing at 4:51 PM.

4.0 ADOPTION OF AGENDA

MO2006.343 Shoff, Mackinnon moved the adoption of the agenda as presented. Carried.

5.0 MINUTES

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

5.1.1 Council Regular Meeting – November 27, 2006

MO2006.344 Mackinnon, Cunningham moved the adoption of the regular meeting minutes of November 27, 2006, Carried.

5.2 MINUTES OF MEETINGS PRESENTED FOR INFORMATION

5.3 BUSINESS ARISING FROM THE MINUTES

6.0 DELEGATIONS

6.1 Dave Snideman, Chair and Tammi Nygaard, Recycling Co-ordinator, Drumheller Recycling Annual Update and 2007 Budget Presentation

Dave Snideman thanked the Town for their ongoing financial support over the past fifteen (15) years. He noted that the recycling levy will be increased to \$2.00 per water/sewer account in 2007 from \$1.75. The additional revenue will allow the Association to transfer dollars to the reserve to assist with future expansion plans. He stated that the Association has recently applied to the Community Initiative Program for funds to expand the existing facility to accommodate the new plastics program and allow for future volumes due to population growth within the community. He further stated that the Association is also planning to expand their services to include other communities that are currently being serviced by the Drumheller & District Solid Waste Management Association.

Tammi Nygaard presented the Drumheller tonnage history from 2000 to 2006, which has grown over the years, from 458.13 metric tonnes in 2000 to 700.6 metric tonnes in 2006. She presented the 2007 Recycling Budget for Council's consideration and for approval.

She provided samples of plastics that can be recycled and explained the coding grade for specific plastics, noting which ones are the most lucrative. She stated that currently there is no market for Styrofoam. She provided a sample of granulated plastic product. She encouraged the public to rinse their plastics and to bring them to the bins located at the Drumheller Co-Op. The launch of the new plastic program is today, December 11th and she stated that an advertising campaign will be carried out with Q91.

Acting Mayor Karen Bertamini thanked D. Snideman and T. Nygaard for their efforts and wished them a success on their new plastics program.

7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS

8.0 REQUEST FOR DECISION REPORTS

8.1 CAO

8.1.1 Bylaw 26.06 being a bylaw to amend the Land Use Bylaw by removing RE-1 from Schedule "A" (Land Use Map) for those lands described as N ½-08-29-20-W4M and by redesignating said lands as R-1 Residential District subject to Architectural Controls

R. Romanetz advised that further discussions have been held between both the Banorte Subdivision developer and the adjacent residents and they have reached an agreement in writing on what the architectural controls should contain. The architectural controls have been reviewed by Town Administration with only a few minor changes which required further clarification on some clauses. Both parties indicated their support for the minor changes in writing. He recommended that Council proceed to first reading to allow for the public hearing to be held on January 8th, 2007.

MO2006.345 Sparling, Shoff for first reading to Bylaw 26.06 Carried.

8.1.2 RFD – 2007 Drumheller Recycling Budget

R. Romanetz stated that based on the bylaws of the Drumheller Recycling Association, the annual budget must be approved by Council. He stated that the 2007 monthly levy contribution will be \$2.00 from each of the Town's water/sewer accounts. He stated that the Town is doing their part to ensure ongoing operations and expansion of the recycling program. Additional revenue will go towards increased expenses such as transportation costs and reserves to fund further expansion. He stated that the Association is projecting a small surplus for 2007.

MO2006.346 Cunningham, Shoff that Council approve the 2007 budget for the Drumheller Recycling Association as presented. Carried.

8.1.3 RFD – Award of Contract for Safety Code Services

R. Romanetz stated that Town Administration, in conjunction with Palliser Regional Municipal Services, has reviewed both submissions for the provision of safety code services. The two respondents were Alberta Permit Pro and Superior Safety Codes. As discussed at the Committee Meeting of December 4th, the Town is recommending Superior Safety Codes not only for their lower fees, but they intend to exceed the requirements of the QMP and respond to calls in most cases within 24 hours. At their meeting of held on November 29th, Palliser Regional Municipal Services awarded the contract to Superior Safety Codes. Town Administration is recommending that Council approve the proposal received from Superior Safety Code Services as well.

MO2006.347 Mackinnon, Cunningham that Council award the contract for the provision of safety codes inspection services to Superior Safety Codes for a three year term, expiring on December 31, 2009. Carried.

8.2 Director of Infrastructure Services

8.3 Director of Corporate Services

8.3.1 RFD – Electrical Energy Contract

M. Minchin presented the request for quotations for the electrical contract. He stated the current contract with Constellation New Energy expires on December 31, 2006. Administration is recommending the Town enter into a two year retail electricity supply agreement with Direct Energy of Calgary, Alberta for the supply of electricity to Town owned facilities and street lights. The aggregate price offered by Direct Energy was the lowest of the bidders from the most recent Request for Proposals. He explained that ATCO Electricity is the area wire service provider and would continue to be responsible for the delivery of electricity to the Town's sites. R. Romanetz explained that the reason for a two year term versus a three year term would allow the Town to participate with other municipalities when their contract with AUMA expires in two years.

MO2006.348 Sparling, MacKinnon that Council authorize Administration to enter into a retail electricity supply agreement with Direct Energy of Calgary, Alberta with the term starting January 1, 2007 and ending December 31, 2008. Carried.

8.3.2 Returning Officer Report

M. Minchin stated that with the resignation of Councillor Larry Davidson on December 8th, one vacancy exists for Councillor. He explained that under Section 162 of the Municipal Government Act, if a vacancy occurs within 12 months of the next general municipal election and the number of councillors is five or more, Council has the discretion as to whether to hold a by-election for the office of Councillor. If a by-election is held, the person elected to this office would serve until the next general election in October, 2007. A by-election for Councillor would be an at large election.

He further noted that Administration is recommending the establishment of an institutional voting station of the Mayoral by-election and Councillor by-election. He explained that under Section 80 of the Local Authorities Election Act, Council may, by resolution, establish institutional voting stations for those in hospital, or nursing homes on Election Day. The institutional voting subdivision would cover those in the Drumheller Health Centre and the Sunshine Lodge. This voting station would be open on by-election day. Council has established this voting station in previous general elections.

MO2006.349 Shoff, Sparling that Council set the date for the by-election for the position of Councillor on January 24th, 2007 and the nomination date for December 27th, 2006. Carried.

M. Minchin stated that with both by-elections set for January 24th, 2007, he recommended that Council approve holding an institutional vote at the Drumheller Health Centre and Sunshine Lodge on this date.

MO2006.350 MacKinnon, Sparling approve the establishment of an institutional voting station to permit patients and residents at the Drumheller Health Centre and the Sunshine Lodge to vote. Carried.

8.4 Director of Community Services

8.4.1 RFD – Policy C05-06 for Special Constable – Power, Duties and Disciplinary Procedure

S. Blevins stated that as a result of the Bylaw Enforcement review with Council, it was decided to formalize the power, duties, code of conduct, the handling of public complaints and the administration of discipline for Special Constables. This policy is consistent with the guidelines produced by the Solicitor General in the Special Constable Handbook for Employers (December 2005). Administration previously used the Town's Human Resources manual.

MO2006.351 Cunningham, Shoff that Council approve Policy C05-06 – Special Constable – Power, Duties and Disciplinary.

Discussion on Motion:

Councillor S. Shoff asked how Council will be informed of any misconduct and disciplinary measures under the new policy and secondly, how this procedure has changed from the current practice. S. Blevins stated that Council will be informed via the quarterly reports as is the current practice. However, the appeal process is new – both parties can make an appeal to Appeal Committee. Councillor K. Mackinnon asked how Council will be informed of any informal complaints (not in writing). S. Blevins stated that he will encourage both parties to submit a written record and reference will be given in the quarterly report, regardless of informal or formal complaints. He stated that informal complaints need to be captured as well. Councillor K. MacKinnon asked when the Appeal Committee would be formed. Acting Mayor Karen Bertamini stated that Council agreed that this Committee would not be in place all the time but members would be appointed only when the need arose.

Vote on Motion: Carried.

8.4.2 RFD – Council Policy C06-06 – Snow and Ice Removal Policy

S. Blevins stated that as a result of Bylaw Enforcement review with Council, it was decided to formalize the process for the enforcement of snow and ice removal on public sidewalks. The previous methods evolved over time and were never formalized into a policy. He stated that the new policy will not take effect until the education has been completed with the community.

MO2006.352 Sparling, Cunningham that Council approve Policy C06-06 – Snow and Ice Removal as presented. Carried.

9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

- 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

10.1 Bylaw 27.06 being a Bylaw to amend the Land Use Bylaw 36.98 by redesignating Plan 7410177 Lot 5 from A – Agriculture District to CR – Country Residential District – second and third readings

MO2006.353 Mackinnon, Cunningham for second reading to Bylaw 27.06. Carried.

MO2006.354 Shoff, MacKinnon for third reading to Bylaw 27.06. Carried.

10.2 Bylaw 28.06 being a Bylaw to amend the Land Use Bylaw 36.98 by redesignating LSD14, Section 15, Township 28, Range 19 W4M from SCR – Suburb Community Residential District to CR – Country Residential District – second and third readings

MO2006.355 Shoff, Cunningham for second reading to Bylaw 28.06. Carried.

MO2006.356 MacKinnon, Shoff for third reading to Bylaw 28.06. Carried.

11.0 DELEGATION DECISIONS

12.0 UNFINISHED BUSINESS

13.0 NOTICES OF MOTIONS

14.0 COUNCILLOR REPORTS

Acting Mayor and Council wished everyone a safe and happy Christmas season holiday and a prosperous new year. Council thanked Town staff for their hard work and accomplishments during the past year. Councillor D Cunningham thanked everyone for bearing with him during his recent illness.

15.0 IN-CAMERA MATTERS MO2006.357 Shoff, Cunningham to go in camera at 5:30 PM. Carried.

15.1 Land Matter – Legal 4128EQ Block 11 Lot 31

15.2 Land Matter – Legal 4128EQ Block 11 Lot 17 & 18

15.3 Council Appointments

MO2006.358 Sparling, Cunningham to revert to regular Council Meeting at 7:06 PM. Carried.

15.1 Land Matter – Legal 4128EQ Block 11 Lot 31

MO2006.359 Sparling, Cunningham to approve the sale of land legally described as Plan 4128EQ Block 11 Lot 31 to Irvine and Laura Almadi in the amount of \$9600.00 plus all other costs associated with the appraisal and consolidation of the parcel, including legal and registration. Carried.

15.3 Council Appointments

MO2006.360 Sparling, Shoff that the Council Board appointments approved on October 30, 2006 be amended as follows: Councillor J. Sparling be appointed to Badlands Ambulance Society; Councillor S. Shoff be appointed to Palliser Regional Municipal Services and Drumheller & District Seniors Foundation; Councillor K. MacKinnon be appointed to Economic Development Task Force and Councillor D. Cunningham be appointed to the Weed Committee. Carried

There being no further business the Mayor declared the meeting adjourned at 7:08 PM.

ACTING MAYOR

CHIEF ADMINISTRATIVE OFFICER