

# **Town of Drumheller**

## **COUNCIL MEETING**

### **MINUTES**



**June 12, 2006** 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 AINCOUGH'S OPENING REMARKS**

2.1 Mayor P. Ainscough advised that he and the CAO met with Hon. Shirley McClellan on June 8<sup>th</sup>. He stated that updates were provided to Hon. Shirley McClellan on Drumheller's projects such as our Affordable Housing Application, Multi Use Community Facility and the Rosedale – Cambria Water Line Extension. He also advised that her support was requested on the following projects: Water Treatment Plant regional funding request, dyking upgrade and expansion, twinning of SH575, Drumheller Regional Landfill and Michichi Creek erosion.

2.2 Mayor P. Ainscough presented a letter from Hon. Yvonne Fritz, Minister of Seniors and

Community Support announcing June 15, 2006 as World Elder Abuse Awareness Day. In her letter, she encourages residents to learn more about the abuse of older adults and what can be done to prevent this form of abuse in our community.

2.3. Mayor P. Ainscough advised that he received a letter from Bill Meade, Special Projects, Solicitor General's Office, advising that a further extension to the Request for Proposal for Land Procurement for the Alberta Police and Peace Officer Training Centre Extension is required to July 15<sup>th</sup>.

2.4 Mayor P. Ainscough advised that he and the CAO attended BJ Services Open House on June 7<sup>th</sup>.

2.5 Motion required to cancel two Council Meetings during the summer: July 24<sup>th</sup> and August 21<sup>st</sup>.

**MO2006.196** Shoff, Sparling that the Council's regular meetings of July 24<sup>th</sup> and August 21<sup>st</sup> be cancelled. Carried.

### **3.0 PUBLIC HEARING**

#### **4.0 ADOPTION OF AGENDA**

Additions to Agenda: Councillor S. Shoff – Drumheller Public Library Report; Councillor K. Bertamini – Lions Cavalcade Parade for Diabetes, Councillor K. Bertamini – Affordable Housing Application Update, Councillor K. Bertamini – Nomination for AUMA Awards (out of camera); Councillor J. Sparling – Beethoven in the Badlands; Councillor L. Davidson - Badlands Ambulance Society (in camera).

**MO2006.197** Davidson, Shoff 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 15, 2006**

**MO2006.198** Sparling, Cunningham moved the adoption of the regular Council meeting minutes of May 15, 2006 as presented. Carried.

###### **5.1.2 Special Council Meeting – May 23, 2006**

**MO2006.199** Sparling, Cunningham moved the adoption of the Special Council meeting minutes of May 23, 2006 as presented. Carried.

##### **5.2 MINUTES OF MEETINGS PRESENTED FOR INFORMATION**

###### **5.2.1 Management Meeting Minutes – May 9, 2006**

###### **5.2.2 Municipal Planning Commission – May 4, 2006**

###### **5.2.3 Municipal Planning Commission – May 18, 2006**

##### **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 RFD - Bylaw – 12.06 being a bylaw to amend the Land Use Bylaw 38.98 by redesignating Plan 3867HU Lot 11 from “P” – Community Service District to “SCR” – Suburb Community Residential District

R. Romanetz advised that a number of meetings have been held with Barry Boyko to review the best use and the most appropriate classification for the land. The property is located at 248 Mabbott Road in Rosedale and is formerly known as Sagebrush Golf Course. Mr. Boyko wishes to redevelop the property and has applied to reclassify the lands from its current designation of Community Services District (P) to Suburb Community Residential (SCR). He would like to construct a single family dwelling on the northwest corner of the parcel (this area has higher elevation) using the water and sewer services available onsite and to subdivide the property in the future to create more SCR parcels. The Municipal Planning Commission reviewed the application at their meeting of May 18<sup>th</sup> and their preference for the change in classification would be to Urban Transitional. They are of the view that Mr. Boyko can obtain his objectives within the UT district. UT would allow the single family residence that Mr. Boyko's would like to construct with the added feature that should he wish to subdivide the lands any further, an Area Structure Plan would be required as per the Land Use Bylaw. This would give both Mr. Boyko and the Town an opportunity to discuss servicing in the general area as well as site specific needs such as sewer, water, access, parcel size and traffic flow, etc. and to look at the long-term needs for that portion of Rosedale. The SCR district does not require an Area Structure Plan. R. Romanetz reiterated that it is important for the Town to look at the density of the area, flood plain and dyking which are all considerations of an Area Structure Plan. He further noted that the Bylaw has been prepared based on Mr. Boyko's application however Administration is not recommending the SCR reclassification of the property at this time.

**MO2006.200** Shoff, Bertamini that Council reject the application received from Barry Boyko for the reclassification of the property legally known as Plan 3687HU Block 11 as presented and concurs with the recommendation of the Municipal Planning Commission as discussed at their May 18<sup>th</sup> meeting that the preferred reclassification is UT- Urban Transition as an Area Structure Plan is required for the area.

Discussion on the Motion:

In response to a question, R. Romanetz stated that the SCR permitted and discretionary uses are similar to UT however SCR does not require an Area Structure Plan which would address servicing and flood plain considerations. R. Romanetz clarified that the applicant

can proceed with his development plans for a single family dwelling. Councillor L. Davidson stated that the vast majority of the adjacent area is classified SCR and asked why SCR would not be considered a compatible zoning? R. Romanetz explained that the majority of the adjacent land to the northeast is agricultural. He further advised that it is hopeful that water will be extended to this area and if the density of the area increases, there may be a requirement for a lift station to handle wastewater flows. He stated that as the proposal stands now it may not be in the Town's best interest to approve the SCR reclassification. He further noted that in the future, the density of development will determine the affordability of installing a wastewater collection system.

Vote on Motion: Carried.

8.1.2 RFD - Bylaw 13.06 being a bylaw to amend the Land Use Bylaw 38.98 by redesignating Plan 9611859 Block 10 & 13 from "DC" – Direct Control District to "MHP" – Manufactured Home Park District

R. Romanetz advised that applicant Mr. Glen Estell is the owner of the River Grove Campground and the property is located in North Drumheller. Mr. Estell wishes to rezone the land to allow for "Park Model" manufactured homes, primarily for seniors, to help meet the need for housing in our community. Mr. Estell is aware of the North Drumheller Area Structure Plan (ASP) and maintains that the document is outdated and no longer serves the needs of this area. The Municipal Planning Commission has reviewed the application and noted that the proposed development would be in contravention of the ASP which is still valid. The area is within the flood plain and as stated in the ASP, mobile homes shall not be allowed in the Plan Area.

**MO2006.201** Sparling, Cunningham that Council rejects the application received from Glen Estell for the reclassification of the property legally known as Plan 9611859 Block 10 & 13.

Discussion on Motion:

In response to a question from Council, R. Romanetz advised that the dyke construction in the last five years provides some protection for this area however concern is that even with the dyke in place the property which is 2 – 3 metres below the 1:100 flood plain could be flooded and result in significant property damage. A further concern is that the mobile homes on foundations are not removable in short notice. He further noted that the proposed development would have to be built to the 1:100 flood plain. There is a need to review the existing ASP as a proposed transportation corridor is no longer a requirement and as a result the existing DC classification needs to be revisited. R. Romanetz also commented that the Province is of the view that if municipalities allow development in flood plain areas, those properties will not be eligible for compensation and municipalities may be responsible for any flooding damages. Councillor L. Davidson asked if the developer would consider raising the area above the 1:100 flood plain. R. Romanetz advised that this would not be economically feasible – one metre may be practical but not 2-3 metres. R. Romanetz advised that the Town has not approved any new developments within the flood

plain in the past several years. He further advised that the ASP is being reviewed as part of the current Municipal Development Plan review.

Vote on motion: Carried.

8.1.3 RFD - Bylaw 14.06 being a bylaw to amend the Land Use Bylaw 38.98 by redesignating the area in NE 1/3 Sec 3 Twp 29 Rng 20 W4M from "UT" - Urban Transitional District to "M-2" Medium Industrial District

R. Romanetz advised that the property is the former Prehistoric Parks lands and the map reflects the new parcel of eight (8) acres. The Town would like to reclassify the area in order to allow for expansion of Premier Industrial Park. The pending sale of the land is subject to approval of the reclassification. He further noted that grading of the area will commence next week.

**MO2006.202** Davidson, Shoff for first reading to Bylaw 14.06. Carried.

8.1.4 RFD – Appointments to the Multi-Use Community Facility

R. Romanetz advised that Committees need to be established to take leadership in the various areas to move the Multi-Use Community Facility forward. The areas that have been identified are: Steering Committee, Fundraising Committee, Communication Committee and Design Committee.

**MO2006.203** MacKinnon, Shoff that Council members be appointed to the following Multi-Community Facility as follows: Steering Committee – Paul Ainscough, Larry Davidson, John Sparling; Fundraising Committee – Karen Ann Bertamini, Don Cunningham; Communication Committee – Sharel Shoff and Design Committee Karen MacKinnon. Carried.

8.1.5 Update on Flood Risk Management Strategy Meeting held in Drumheller on May 25<sup>th</sup>

R. Romanetz advised that he along with the Mayor and W. Yeoman attended the consultations on Flood Risk Management Strategy on May 25<sup>th</sup>. A detailed package is included for Council's information. He advised that Provincial representatives were in attendance and they reviewed the recommendations which were prepared in 2000 and at that time Council and Administration provided comments. The Province is now revisiting the recommendations. A motion is required from Council either supporting or opposing the recommendations. R. Romanetz provided an overview on some recommendations as follows: Recommendation 11 – *"It is recommended that once mapping is completed and the areas have been designated, the Disaster Recovery Regulation be amended to preclude disaster recovery compensation payments for inappropriate new development constructed in designated flood risk areas."* R. Romanetz advised that this proposal deals with inappropriate developments. Recommendation 10 – *"It is recommended that the Province of Alberta negotiate programs with federal and municipal governments to cost-*

*share flood mitigation measures to protect existing development in urban and rural areas. The costs should be shared among the federal, provincial and local governments.”* Councillor L. Davidson asked if any further dyking around the community would be on a cost shared basis as outlined in this recommendation. R. Romanetz stated that he explained to the Provincial representatives that the former City has a letter (dated 1983) from the Minister of Alberta Environment at that time – “the Province is committed to building a dyke system to protect the entire valley”. He further noted that this matter was brought to Hon. Shirley McClellan’s attention and that need remains to build dykes in the areas of Rosedale, Lehigh, East Coulee and Nacmine along with topping the dykes already built. R. Romanetz stated that they reviewed each unprotected area with the representatives and identified problems areas. The Provincial representatives stated that other regional meetings have been held and the Bow region has indicated that they would accept cost sharing for dyking. Council may have to lobby the government to ensure the terms of the original agreement remains in place. Recommendation #9 – *“It is recommended that for buildings which the Province constructs or contributes funding towards: The 1:100 year flood level be used as the minimum elevation for protection of most developments ... where flooding would cause major damage to buildings critical to the maintenance of public order and welfare, the 1:500 year flood level be used ... where flooding would cause major damage critical to the rescue and treatment of the injured and prevention of secondary hazards, such as hospitals, and fire and police stations, the 1:1000 year flood level be used as the preferred level of protection”.* R. Romanetz advised that areas below the 1:100 flood plain could be used for parks, golf courses, parks, etc. R. Romanetz recommended that Council pass a motion supporting the recommendations.

**MO2006.204** Sparling, MacKinnon that Council support the recommendations as outlined in the Provincial Flood Risk Management Strategy dated March, 2006. Carried.

## **8.2 Director of Infrastructure Services**

### **8.2.1 RFD - Hydrovac Purchase**

W. Yeoman advised that under the approved 2006 Capital Budget, an amount of \$150,000 has been allocated for the purchase of a pre-owned Hydrovac unit. A suitable unit has been located for the price of \$102,960 plus GST. The unit was previously owned by the City of Red Deer and the equipment which is located at the Westvac Industrial Shop at Acheson, Alberta has been well maintained. The unit is a 1994 Ford LNT 8000 with a Cummins 8.3 250 HP engine (63,457 km). The equipment was not used to its full potential as it was used more as a flush truck. He recommended that the unit be purchased.

**MO2006.205** Bertamini, Shoff that Council approve the purchase of the 1994 Ford LNT 8000 Hydrovac unit previously owned by the City of Red Deer and offered for sale by Westvac in the amount of \$102,960.00 plus GST.

Discussion on Motion:

Councillor L. Davidson asked the anticipated hours of use. W. Yeoman advised that the unit will be used at a minimum of 1000 hours per year (in the past the Town has been renting a unit however availability was limited). He further noted that the purchase of the unit includes training.

Vote on Motion: carried.

### **8.3 Director of Corporate Services**

#### **8.3.1 Tax Cancellation – Plan 9410975 Area 6**

M. Minchin presented a tax cancellation from Daper Holdings for a partial tax cancellation for the 2004 and 2005 tax years (former CN property) due to an error in calculating the parcel size. The Town or the property owner did not discover the error until late 2005, after the appeal deadline. The property was assessed for 1.146 acres and should have been assessed at 0.67 acres.

**MO2006.206** MacKinnon, Sparling that Council approve the cancellation of a portion of the 2004 and 2005 property taxes in the amount of \$1,486.26 for the property described as Plan 9410975, Area 6. Carried.

### **8.4 Director of Community Services**

8.4.1 S. Blevins announced that the Open House for the Multi-Use Community Facility will be held on June 22<sup>nd</sup> at 5:30 PM at the Drumheller Civic Centre. He advised that representatives from Graham Edmunds Architect and Randall Conrade & Associates. Display materials along with a power point presentation will be available to the public as well as a short questionnaire for the residents to complete which will provide feedback to the Town.

#### **8.4.2 Heritage Site Update (East Coulee School Museum)**

S. Blevins advised that currently the East Coulee School Museum is designated as a historical resource. He advised that he spoke with a Provincial representative and they will proceed with a municipal historical designation for this building however it is not certain how long this procedure will take. He has asked that it be moved forward on a timely basis.

## **9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION**

**(Presentation of Quarterly Reports July, 2006)**

- 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 S. Shoff advised that the Drumheller Public Library Board has approved an expansion project for special needs. The Library Board has negotiating a concert date with Ian Tyson – to be held October 21<sup>st</sup>, 2006.

14.2 Councillor S. Shoff provided an overview of the Federation of Canadian Municipalities Conference held in Montreal from June 1<sup>st</sup> – 5<sup>th</sup>. Special speakers included Prime Minister Stephen Harper, Mayor of Montreal – Gerald Tremblay, and the FCM President Gloria Kovach. She highlighted three tours: Benny Farms Redevelopment, Montreal's Nature Museums and the Montreal Harbourfront Corporation. She attended the Municipal Expo. She thanked the residents for the opportunity to represent the Town of Drumheller.

14.3 Councillor J. Sparling stated that it is important for Council to attend the FCM to gather ideas which will help Council to work together as a whole and gain input as to how the Town compares with other municipalities.

14.4 Councillor J. Sparling advised that the Beethoven in the Badlands concert was well attended. He thanked the sponsors and volunteers for their efforts to make the event successful. He stated that the funds raised (approximately \$30,000) will go back into the community.

14.5 Councillor K. Bertamini advised that she attended the Lions Cavalcade Parade and BBQ fundraiser for the Travelling Diabetes Resource Program. She further advised that Lions Club members from across Alberta were in attendance.

14.6 Councillor K. Bertamini advised that Hon. Yvonne Fritz has requested further information from the Town on our Affordable Housing Application on the need for handicapped units within our community. She further advised that this is positive as it means the Town's application is being looked at seriously.

14.7 Councillor K. Bertamini advised that AUMA presents awards annually. She recommended that Council submit nomination papers for the CAO and Management Team to recognize their long term excellence and dedication to Municipal Government. She noted that the deadline for submission is June 30<sup>th</sup>.

**MO2006.207** Bertamini, Sparling that Council submit nomination papers for the Dedicated Chief Administrative Officer Award and the Dedicated Senior Municipal Team Award. Carried.

14.8 Councillor L. Davidson advised that he attended the FCM as well. He noted Montreal's diverse scenery. He also attended sessions on sustainability and community development. He noted that Montreal has a rich heritage and the city has worked hard to integrate new facilities and have created an atmosphere inviting to the tourists.



**15.0 IN-CAMERA MATTERS MO2006.208** Shoff, Bertamini to go in camera at 5:55 PM. Carried.

15.1 Land Matter – Plan 9710916 Block 13 Lot 7

15.2 Land Matter – Downtown Development Proposal

15.3 CUPE 4604 – Mediator's Recommended Terms for Settlement

15.4 Badlands Ambulance Society

**MO2006.209** Davidson, Shoff to revert to regular Council meeting at 6:25 PM. Carried.

15.2 Land Matter – Downtown Development Proposal

**MO2006.210** Sparling, Cunningham that Council approve the sale of the land legally described as Lots 21 & 22 Block 23, Plan 7710AP and Lots 23 & 24, Block 23, Plan 7710AP to Stevenson Homes for the market value as outlined in the appraisal from Perry Appraisal Associates Ltd. dated June 7<sup>th</sup>, 2006 subject to terms outlined in their development proposal dated June 1, 2006 and the Town of Drumheller standard Offer to Purchase. Carried.

15.3 CUPE 4606 – Mediator's Recommended Terms for Settlement

**MO2006.211** Sparling, Davidson that Council accept the Mediator's Recommended Terms for Settlement in the matter of the Labour Relations Code and a Dispute between Town of Drumheller and the CUPE 4604. Carried.

There being no further business the Mayor declared the meeting adjourned at 6:29 PM.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER