

Town of Drumheller

COUNCIL MEETING

MINUTES



April 30, 2007 4:30 PM Council Chambers, Town Hall
703 - 2nd Ave. West, Drumheller, Alberta

PRESENT:

MAYOR:

Bryce Nimmo

COUNCIL:

Karen Bertamini

Karen MacKinnon

Sharel Shoff

John Sparling

Terry Yemen

CHIEF ADMINISTRATIVE OFFICER/ENGINEER:

Ray Romanetz

DIRECTOR OF INFRASTRUCTURE SERVICES:

Wes Yeoman

ACTING DIRECTOR OF CORPORATE SERVICES:

Bill Wulff

ACTING DIRECTOR OF COMMUNITY SERVICES:

Jerry Brett

RECORDING SECRETARY:

Linda Handy

ABSENT: Councillor Don Cunningham

1.0 CALL TO ORDER

Councillor Sharel Shoff was sworn in as Deputy Mayor for the months of May and June, 2007.

2.0 MAYOR'S OPENING REMARKS

2.1 Mayor Bryce Nimmo presented a letter from Hon. Ray Danyluk, Minister of Alberta Municipal Affairs and Housing regarding the provincial 2007 education property tax program. In his letter, Hon. Danyluk advises that the provincial education requisition is \$1.556 billion for the 2007-08 fiscal year. This is an increase of about 5.5 per cent from 2006-07. He further states that the government increased its revenue requirement to capture real growth throughout the province and to provide increased support for Alberta's basic education system.

2.2 Mayor Bryce Nimmo presented a letter from Hon. Luke Ouellette, Minister of Alberta Infrastructure and Transportation (AIT) regarding the cost shared funding that will be provided to the Town of Drumheller under the 2007 AIT grant programs: The Alberta Municipal Infrastructure Program grant in the amount of \$1,478,575; the New Deal for Cities and Communities grant in the amount of \$188,027; and the Street Improvement Program grant in the amount of \$467,100 based on \$60 per capita and a population of 7,785.

2.3 Mayor Bryce Nimmo proclaimed May 9th, 2007 as McHappy Day. He stated that the funds raised by McDonald's for McHappy Day will go towards the Drumheller Public Library and Ronald McDonald's Charities.

3.0 PUBLIC HEARING

Purpose of the Public Hearing is to consider Bylaw 08-07 being a Bylaw to amend the Land Use Bylaw No. 36.98 by redesignating Plan 9011528, Block 3, Lot 2 and Plan 9212566, Block 3 Lot 8 from "UT" – Urban Transitional District to "SHR" – Small Holding Residential District

Mayor Bryce Nimmo called the public hearing to order at 4:35 PM.

He asked Secretary, L. Handy if there were any written submissions.

Secretary, L. Handy advised that was one item of correspondence from adjacent neighbours, Oscar & Marguerite Clark which was read into the record.

Mayor Bryce Nimmo asked if anyone was present to speak in favour or against the proposal.

Speaking in favour of the proposal:

Bill Doyle, applicant stated that he along with his daughter are the property owners of the above noted land. They have owned the property since 1990 and first applied for a subdivision at that time for the SHR area adjacent to the river and a further subdivision in 1992 to subdivide out an existing house and laneway (the smaller "SHR" area). He identified other areas on the bylaw map as follows: the far left "P" area is the golf course; the "UT" area is owned by Dr. David Miller and the cross hatched "SHR" area is the subject property that is being proposed for a reclassification and future subdivision. He explained that the purpose of the amendment to the bylaw is to change the subject property from "UT" to "SHR" to make the proposed lands compatible with the existing SHR zoning for the balance of Block 3. Following this approval, Mr. Doyle stated that he intends to apply for a subdivision of the property into eight lots. There would be two lots in the cross hatched area in the laneway and six lots in the larger portion. The subdivision also includes property that is currently zoned SHR with an existing house which would be subdivided into two lots. He stated that access would be through the private laneway and Town roadway (Riverwood Close).

Those speaking with concerns on the proposal:

Oscar & Marguerite Clark expressed the following concerns:

- 1) Sewage Disposal – is there a requirement for $\frac{3}{4}$ acre of land before a field system can be installed and will a percolation test be required for the newly created lots? They expressed concern with the lack of absorption as they are downstream of the proposed subdivision.
- 2) Town Water Hookup – they did not want to be hooked to the Town water system as their water is good.

Dr. Miller and Mary Miller expressed the following concerns:

- 1) If a petition for water is received would they be obligated to hook up?
- 2) Zoning of their property is “UT” and how will the reclassification impact their agriculture land.

CAO, R. Romanetz responded to the concerns as follows. He explained that with regards to the septic field system, the subdivision approval would have to meet the new Provincial regulations and the requirements for all testing including a percolation test. He explained that with regards to the water supply if a petition is received from the majority of residents in the area, the Town would be obliged to proceed with a local improvement bylaw. If 2/3's of the residents are in favour as well as representing at least 50% of the property assessment, the local improvement bylaw for the supply of water would move forward. He further explained that he is not aware of any interest for water from the residents in this area. He further stated that the cost for water to this area is substantial and it may be more feasible via Starland County's water system. In response to Mary Miller's question on zoning, Bill Wulff, Acting Director for Corporate Services stated that although the land is zoned “UT”, it is assessed agricultural.

Marguerite Clark stated that a second letter was submitted from their lawyer W. Harry Gough, Q.C., Schumacher, Gough & Company and it had not been read into the record. R. Romanetz stated that this letter was addressed to Palliser Regional Municipal Services on the proposed subdivision and not the reclassification. He stated that if Council so wished the letter could be read into the record. Council requested that the letter be read.

Secretary, L. Handy read the letter addressed to Palliser Regional Municipal Services from adjacent neighbours, Oscar & Marguerite Clark, Dr. David Miller, Dieter and Christina Borst and Graham Giffin on the proposed subdivision and which reiterates concerns as stated above.

In closing, Bill Doyle stated that he feels there should be a continuation of the SHR zoning for residential purposes as the land could be sold and changed to commercial.

Mayor closed the public hearing at 5:08 PM.

4.0 ADOPTION OF AGENDA

Deletion: Delegation: Kneehill Regional Water Services Commission

MO2007.100 Shoff, Sparling 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 – April 16, 2007

MO2007.101 Yemen, Shoff moved the adoption of the Regular Council meeting minutes as presented. Carried.

5.2 MINUTES OF MEETINGS PRESENTED FOR INFORMATION

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 Boiled Water Advisory Update

CAO, R. Romanetz provided an update on the Boiled Water Advisory as follows:

- Friday, April 27th DTHR lifted the boil water advisories for the Village of Carbon, the Village of Acme, the Village of Linden and the portions of Kneehill County served by the Linden North water line and the Calgary Health Region lifted the boil water advisories for the Village of Beiseker and the Town of Irricana.
- DTHR and the Calgary Health Region are satisfied that the turbid water has been flushed out of the water line serving these communities, that turbidity and chlorine disinfectant levels are within acceptable operating standards and that bacterial water samples show no evidence of contamination.
- The boil water advisories remain in effect for the Town of Drumheller, the Village of Munson, the Village of Morrin, Starland County and the water co-ops that are connected to the Drumheller water system.
- The majority of the Town of Drumheller has been flushed including Rosedale, Central Drumheller, Nacmine and Newcastle. About 95% will be complete by Monday evening. Only remaining areas are Midland and the Royal Tyrell Museum and the Penitentiary. Flushing crews assisted the hospital staff with their flushing on Saturday, April 28th.
- Once the east portion of Midland is complete, the Town will begin flushing in Starland, Munson/Morrin on May 1st.

- By morning all reservoirs including Newcastle will be drained and refilled.
- Town has retained EPCOR, who specialize in water plant assessment, to conduct an independent review of the water plant operations.

Councillor S. Shoff stated that she appreciates that an independent review will be carried out. Mayor Bryce Nimmo reported that he has contacted the Province to look into disaster services funding to help offset costs on this unfortunate incident.

8.1.2 Provincial Budget Overview

R. Romanetz provided an overview of responses to Alberta Urban Municipalities Association's questions concerning the Provincial Budget as follows:

- "The Ministry will work with municipalities and the Minister's Council on Municipal Sustainability to help ensure the long-term sustainability of the municipal sector through appropriate legislation, capacity building initiatives, and financial support." The Land-use Framework Development brochures have been distributed to Council and available at various locations for the public. The Province is looking for commentary on whether these recommendations for resolving regional planning issues hit the mark.
- The province made a commitment to provide municipalities with \$1.4 billion in new funding over four years however there appears to be a number of strings attached and some of the project criteria appears to be of a provincial responsibility rather than municipal.
- The province has adjusted its education property tax requisition to maintain the long term sustainability of municipal governments – the actual amount of dollars in revenue is up based on increased assessment across the province.
- Street Improvement Program funding will remain at the \$60 per capital based on previous year official population; Alberta Municipal Water / Wastewater Program funding will be based on percentage of project costs based on population-based formula; and there will be an increase in funding for Water for Life Program.
- Municipalities will be given funding for the Tangible Capital Assets Program (new standards for accounting) as set out by the Public Sector Accounting Board to develop the tools and build the knowledge base that will enable municipalities to comply with the 2009 implementation date.
- The policing funding formula is unchanged from 2006/07.
- Ambulance funding will remain status quo as the Minister of Health and Wellness is looking for more information from the Discovery Projects before he will present recommendations to the Cabinet.
- There will be a significant increase to affordable housing funding.
- There is a 1.2% increase to library funding and dollars remain committed under the Community Initiatives Program.
- \$280 million has been allocated over two years for a new Major Community Facilities Program which will see funds allocated on a regional equity basis for major

repairs to existing or construction of new community public-use facilities for sport, recreation, culture and wellness.

- Commitment to improve the overall cost effectiveness of SuperNet access and use.

R. Romanetz stated that the detailed budget is available from his office if Council wished to obtain a copy.

8.2 Director of Infrastructure Services

8.2.1 Spring Clean Up

W. Yeoman reported that the 2007 Spring Clean Up is scheduled for May 22nd – June 1st starting at the east end of Drumheller and moving westward. He further explained that the criteria is the same as last year – the materials must be put out closer to the date of pickup and sorted for the crews. The Drumheller & District Regional Landfill welcomes free drop offs and disposal of any non-demolition related materials between May 14th and June 1st during regular business hours. The information and map will be distributed to all households.

8.3 Acting Director of Corporate Services

8.4 Acting Director of Community Services

9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION (next presentation date May 14, 2007)

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

Bylaw 08-07 being a Bylaw to amend the Land Use Bylaw No. 36.98 by redesignating Plan 9011528, Block 3, Lot 2 and Plan 9212566, Block 3 Lot 8 from “UT” – Urban Transitional District to “SHR” – Small Holding Residential District – 2nd and 3rd readings

MO2007.102 Bertamini, MacKinnon for second reading to Bylaw 08.07.

Discussion on Motion:

Councillor S. Shoff asked if a petition for water is received, would these residents be looking at having to hook on to the water supply. Councillor K. Bertamini stated that the matter before Council is the bylaw for reclassification. Councillor K. MacKinnon asked if the lot sizes meet the requirements for the subdivision. R. Romanetz stated that the subdivision application must comply with the minimum lot size as set out in the Land Use Bylaw.

Vote on Motion: Carried.

MO2007.103 Bertamini, Shoff for third reading to Bylaw 08.07. Carried.

11.0 DELEGATION DECISIONS

12.0 UNFINISHED BUSINESS

13.0 NOTICES OF MOTIONS

14.0 COUNCILLOR REPORTS

15.0 IN-CAMERA MATTERS MO2007.104 Shoff, Sparling to revert in camera at 5:40 PM. Carried.

15.1 Land Matter – Hygrade Industrial Park

15.2 Balzac Commercial Development

MO2007.105 Bertamini, Shoff to revert to regular Council Meeting at 6:28 PM. Carried.

15.1 Land Matter – Hygrade Industrial Park

MO2007.106 Bertamini, Sparling that the current policy does not allow Council to accept the proposal as presented by Canalta. Carried.

15.2 Balzac Commercial Development

MO2007.107 Yemen, Shoff that Mayor Bryce Nimmo, Councillor John Sparling and Ray Romanetz be appointed to the Steering Committee between the Town of Drumheller and the Kneehill Regional Water Services Commission in accordance with the Water Supply Agreement dated June 15, 2004. Carried.

There being no further business the Mayor declared the meeting adjourned at 6:30 PM.

MAYOR

CHIEF ADMINISTRATIVE OFFICER