

Town of Drumheller

COUNCIL MEETING

MINUTES



August 7, 2007 4:30 PM Council Chambers, Town Hall
703 - 2nd Ave. West, Drumheller, Alberta

PRESENT:

MAYOR:

Bryce Nimmo

COUNCIL:

Karen Bertamini

Sharel Shoff

John Sparling

Terry Yemen

CHIEF ADMINISTRATIVE OFFICER/ENGINEER:

Ray Romanetz

DIRECTOR OF INFRASTRUCTURE SERVICES:

Wes Yeoman

DIRECTOR OF CORPORATE SERVICES:

Mike Roy

DIRECTOR OF COMMUNITY SERVICES:

Scott Stakiw

RECORDING SECRETARY:

Linda Handy

ABSENT: Councillor Karen MacKinnon

1.0 CALL TO ORDER

2.0 MAYOR'S OPENING REMARKS

2.1 Municipal Sustainability Initiative

Mayor B. Nimmo advised that he and CAO Ray Romanetz attended the Municipal Sustainability Initiative (MSI) regional consultation session on July 25th. He explained that under the MSI program, municipalities will receive an additional \$400 million in provincial funding in 2007-08, increasing to \$500 million in 2008-09, \$600 million in 2009-10, and increasing to \$1.4 billion annually in 2010-11. He further explained that this funding responds to the pressures of growth, and provides incentives for greater intermunicipal cooperation and coordination. He stated that although the program funding conditions and

allocations have been determined for the current year, the province is interested in hearing from municipalities on how the MSI should be designed for future years. Municipal leaders are encouraged to complete the discussion paper and submit responses to Municipal Affairs and Housing by August 24, 2007.

2.2 Mayor B. Nimmo presented a letter from Alberta Sport, Recreation Parks & Wildlife Foundation announcing funding for the Newcastle Beach Recreation Area under the 2007 Municipal Recreation/Tourism Area annual operating grant in the amount of \$8,000.00.

2.3 Mayor B. Nimmo welcomed Scott Stakiw, Director of Community Services to the community and wished him success in his new endeavours with the Town of Drumheller.

2.4 Mayor B. Nimmo presented the amended 2006/07 Board Appointments. Mayor Nimmo asked for a motion appointing him to sit on the Committees that Don Cunningham formerly represented.

MO2007.153 Yemen, Bertamini that the amended 2006/07 Board Appointments be approved as presented. Carried.

3.0 PUBLIC HEARING

Purpose of the Public Hearing is to consider Bylaw 11-07 being a Bylaw to amend the Land Use Bylaw No. 36.98 by redesignating Plan 6495AV, Block 1, Lot 33 & 34 in Drumheller from "R1-A" – Residential District to "R-3" – Residential District.

Mayor B. Nimmo called the Public Hearing to order at 4:40 PM.

He asked Secretary, L. Handy if there were any written submissions. Secretary, L. Handy read one item of correspondence received from Trevor and Debbie Catonio, property owners along Riverside Drive East who are in favour of the proposal.

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

Speaking in favour of the proposal:

Ossie Sheddy, applicant stated that he bought the lot one year ago as he felt it was the ideal location for a multi unit building. He further stated that this type of dwelling would fit the perimeters of the Land Use Bylaw as it is not unusual to see an R3 residential mix within an R1a. He stated that he has drawings of what he would like to develop however he would not present them at this time as it is not relevant. He stated that he is asking only for the redesignation at this point. He explained the history of the parcel in that it was a multi-room dwelling for tenants. He stated that he wished to return the parcel to what it was originally designated and he would like to construct a duplex. He explained that although some duplexes in Drumheller may not have a good history, he intends to construct a good looking building that will be well maintained – it will be no larger or higher than the houses in the area. He asked Council to consider his request as he sees it as being progressive for the Town. He stated that he often sees duplexes located at the end of a block. He asked for Council's cooperation to move his development forward.

Mayor Nimmo asked for questions from Council:

Councillor S. Shoff asked if the building would be a duplex for two families. Ossie Sheddy stated yes. Councillor K. Bertamini stated that Councillor Shoff's question was out of order as the matter before Council is the redesignation of the property not the development. Councillor Shoff clarified that Council has to base their decision on what development is allowable within an R3 residential district.

Speaking in opposition of the proposal:

Janice Armstrong representing the petitioners along the 500 block of Riverside Drive East and 5th Avenue East read a letter into the record which summarizes their concerns as follows:

- The change proposed to place an R3 designation of property within an R1a area is one which is not progressive and does not consider the common good of a neighbourhood community;
- Both the preservation of financial investments and the quality and fabric of life within the area stands to be negatively impacted;
- Original bylaws should be upheld and trust kept which still serves the neighbourhood and the Town;
- Discontinuity and fracturing of an R1a neighbourhood;
- Setting precedent with re-designation to R3;
- Ecological and aesthetic concerns; and
- Traffic and parking concerns.

Mayor Nimmo asked for rebuttals:

In closing, Ossie Sheddy stated that he feels the rezoning fits the perimeters of the Land Use Bylaw. He stated that some of the concerns expressed in the letter from the neighbours will be dealt with when the development permit is issued. He stated that those in objection of his development could have purchased the lot and developed it as they so wished. He stated that a duplex would not devalue the property as this is dependent on market values. He stated that the houses along Riverside will not last forever and will have to be replaced. He stated that there are many examples of mixed residential uses within the Town and that Calgary invites these types of development.

Councillor Sparling asked Administration if an apartment would be permitted within the R3 designation. R. Romanetz stated yes if they complied with the Land Use Bylaw requirements.

Mayor Nimmo closed the Public Hearing at 5:00 PM.

4.0 ADOPTION OF AGENDA

MO2007.154 Sparling, Shoff 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 – July 9, 2007

MO2007.155 Shoff, Yemen moved the adoption of the Regular Council meeting minutes of July 9, 2007 as presented. Carried.

Councillor T. Yemen noted that the Valley Times had the incorrect name on the motion awarding the contract for the Town Page to the Drumheller Mail. He stated that it was himself not Councillor Bertamini who seconded the motion.

5.2 MINUTES OF MEETINGS PRESENTED FOR INFORMATION

5.2.1 Management Committee Meeting – July 17, 2007

5.2.2 Municipal Planning Commission – June 11, 2007

5.3 BUSINESS ARISING FROM THE MINUTES

6.0 DELEGATIONS

6.1 Eric Peterson, Gitzel Krefci Dand Peterson provided an overview of the 2006 Audit as follows:

Page 2 Assets – comparison of assets with December 31, 2006 – taxes receivable down from 2006; the accumulated cost of land for resale does not include sewer, water installations, etc. Physical assets inventory includes parks, property and equipment. In the past, the government has recorded their physical assets with no depreciation however this will change in 2009. The Town will need to provide a detailed list of their assets including the age and useful life. Total assets \$102,963,146 (increase of about \$7 m over 2006).

Page 3 Liability / Equity - total \$102,963,146 (also increased about \$7 m over 2006). If the Town receives a grant and if not spent, the amount would stay in deferred revenue until expensed. Employee benefits include accumulated vacation pay. Equity includes three fund balances – capital, operating and reserves. The capital fund shows a deficit of about \$2 m because funding is not yet completed and this will fall into place in the next fiscal year. Operating fund is the accumulated surplus and the reserve fund shows the dollars set aside for specific future spending. Equity in property and equipment shows the amount paid off for these assets.

Page 4 Change in Fund Balances – Revenue Total \$17,431,632 less Expenses Total \$17,853,885 resulting in a surplus of 218,422. Total balance for all funds at year end is \$6,195,758.

Page 5 Deficiency of revenue compared to the reduction in cash. Cash and temporary investments at year end is \$5,434,339.

Page 6 Schedule 1 Capital Fund Activities - transfers to and from capital revenues resulted in an over expenditure of \$4,171,432 (expenses yet to be funded).

Page 7 Schedule 2 Operating Fund Activities – transfers to and from operating revenues total \$3,749,181. Change in fund balance total \$410,576 with a closing balance of \$1,616,421.

- Page 8 Schedule 3 Reserve Fund Activities - allocations and transfer made to the reserves and put back in operations and capital. Opening balance of \$5,335,073 with a fund balance at year end of \$7,313,810.
- Page 9 Schedule 9 Equity in Property and Equipment - assets purchased in amount of \$7,754,556 and disposal of \$117,521 which changes the equity by \$7,543,430 with an opening balance of \$81,443,843 and closing balance of \$88,987,273.
- Page 10 Schedule 5 Property Taxes Levied – 2006 taxation totalled \$7,664,564 with requisitions removed resulting in net municipal taxes of \$5,413,215.
- Page 11 Schedule 6 Government Transfers total \$4,205,911; Schedule 7 Expenditures by Object totalled \$17,853,885.
- Page 12 Note 1 ensures the audit has been completed in accordance with the Public Sector Accounting and the Canadian Institute of Chartered Accountants.
- Page 15 Note 3 allowance for less allowance for uncollectible taxes should be in brackets as recorded in 2006; Note 4 shows investment details as to where the money is invested (the majority of investments are long term).
- Page 16 Note 5 shows further breakdown on property and equipment; Note 6 shows long term debt – principal and interest repayments in the next five years or more.
- Page 17 Note 7 shows each reserve movement with balance at the end of the year.
- Page 18 Note 8 required disclosure for Council and designated officers.
- Page 19 Note 9 debit limits - the Town could borrow an additional \$20 million dollars before the Town reaches its debt limit. Being able to maintain infrastructure and pay down debt is good fiscal management practices for the Town of Drumheller. Note 10 Contingencies - identified two possible liability contingencies – being a member of the Alberta Local Authorities Reciprocal Insurance Exchange could result in proportionate share of any claim losses in excess of the funds held by the exchange. Secondly, Town is member of Drumheller and District Solid Waste Management Association and as such, in the event of an environmental disaster assets could be wiped out resulting in the Town inheriting the liability.
- Page 20 Note 11 Local authorities Pension Plan – municipality and employees pay into the plan for the employees' future benefit.
- Page 21 Note 15 Employee Benefit Obligations – vacation and long service benefit is reported now as incurred.
- Page 22 - Note 16 requirement for Council's approval of the 2006 audited financial statements.

Eric Peterson concluded by stating that the Town is in a healthy financial position, with adequate cash flow, limited debt and new development occurring to increase the tax base. Mayor thanked E. Peterson for his presentation.

7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS

8.0 REQUEST FOR DECISION REPORTS

8.1 CAO

8.1.1 RFD - 2006 Audit

MO2007.156 Sparling, Bertamini that Council approve the 2006 audited financial statements as presented. Carried.

Mayor Nimmo recessed the meeting at 5:30 PM.

Mayor Nimmo reconvened the meeting at 5:33 PM.

8.1.2 Introduction of new Community Services Director Scott Stakiw - moved to Item 2.3

8.1.3 Town Strategic Priorities Update

R. Romanetz advised that although a verbal update is being given this evening, Council will receive an updated written copy of the Strategic Business Plan shortly. He provided an update as follows:

Corporate Priorities

- 1) Balzac Water License Application – Council has declined to supply water to the Balzac area through the Kneehill Regional Water Services Commission.
- 2) Community Facility Design – significant work has been carried out over the last few months in preparation for the October 15th plebiscite question with detailed strategies and an action plan as approved by Council. The Steering Committee has been working within the timelines identified. A Press Conference is planned for August 9th at 4:30 PM.
- 3) Transportation Study - Council has seen the preliminary report with the left turn being eliminated off of the Gordon Taylor Bridge however other components of the Study are not completed such as sections of primary and secondary highways changes which are under the jurisdiction of Alberta Transportation. Administration has asked iTrans Consulting to package the completed information in one volume for final presentation to Council sometime in September.
- 4) Utility Rate Model - proposal has been presented to Council and based on Administration's workload, the recommendation is to work along with Council on the options in conjunction with budget preparations for 2008. M. Roy will update the numbers to reflect current costs and make any other necessary changes required that recognizes Council's direction to promote conservation.
- 5) Economic Development Strategy – As per the report provided to Council by R. Telford, Economic Development Officer, initiatives are being worked on with the highest priority attention being given to post secondary options. The province is looking at coming up with some new policies in this regard.
- 6) Lobbying Efforts – With political liaison efforts to date, some items are eliminated each year however others remain such as twinning of Highway 575 costs (Town to contribute 30% of the costs if the upgrade is to move forward otherwise Provincial timelines), two grant applications submitted for the proposed Community Facility (awaiting approval), and regional funding for UV improvements for the Water Treatment Plant (Town would like to see 90% funding). Mayor Nimmo met with Mr.

Jack Hayden, new MLA for Drumheller Stettler Constituency and he indicated that he would research the status of the Town's priorities.

Operational strategies:

- 1) Fire – Standard Operating Procedures approved by Council on February 20th; new pumper fire truck ordered however one year delivery date – an extension to the MuniSponsorship grant is required.
- 2) Regional Landfill - continue to encounter delays with the Environment Impact Study with their requirement for additional information. The design should be finalized within next 2-3 weeks. With continued delays, the cost could increase dramatically.
- 3) Wastewater Treatment Plant - meeting held with consultants and the design is 70% complete. It is anticipated that the design will be completed by October, tendered in November and possible construction in 2008. CAMRIF approval is anticipated by December, 2007 and if not successful, the Town will apply for other available infrastructure funding through AMIP.
- 3) Staffing Remuneration – proposal to be presented to Council shortly.
- 4) Municipal Development Plan - Volumes 1 and 2 have been presented to Council. The Land Use Bylaw review is about 50% complete. At Council's meeting in July, Council indicated that once the Land Use Bylaw component is completed, a detailed overview will be provided to Council in September.

R. Romanetz asked Council to provide direction regarding the priorities as presented. Mayor congratulated Administration on their accomplishments to date with their heavy workload.

8.1.4 RFD - Plebiscite Question for Community Facility October 15th

Mayor Nimmo congratulated Council on their efforts towards moving the Community Facility project forward. He presented the plebiscite questions as brought forward by the Steering Committee.

MO2007.157 Sparling, Bertamini that Council includes the question "Are you in favour of constructing the proposed Community Facility on the location that includes John Anderson Park?" in the October 15, 2007 plebiscite.

W. Yeoman advised that the Steering Committee reviewed the petition in detail to ensure all areas were covered and they found that the petition referred to the skateboard park, which is not included in the motion. He asked Council if they wished to include the skateboard park in the motion. R. Romanetz advised that as the Community Facility moves forward the ball diamond, skateboard park and tennis courts, once affected by the construction of Phase 1 and 2, will need to be relocated. He further advised that recent discussions with the interested parties have been positive with identifying possible new locations for the skateboard park and funding raising endeavours.

Vote on Motion: Carried.

8.1.5 Appointment of Returning Officer

R. Romanetz advised that Administration is preparing for the fall municipal election. Section 12 of the Local Authorities Election Act states that the municipality may appoint, by resolution, a returning officer for the purposes of conducting an election. Traditionally the Director of Corporate Services has been appointed as the returning officer.

MO2007.158 Bertamini, Shoff that Council appoint the Director of Corporate Services Michael Roy as returning officer for the 2007 general municipal election. Carried.

8.1.6 Advance Poll Dates – October 5th and October 12th from 10:00 A.M. to 8:00 P.M.
M. Roy advised that pursuant to Section 73 of the Local Authorities Election Act, the Town may by Council resolution, provide for the holding of an advance vote on any vote to be held in an election. Traditionally the Town has held two days of advance voting for those unable to vote at the general municipal election.

MO2007.159 Shoff, Sparling that Council approve the establishment of two days of advance voting for the 2007 general municipal election being October 5th and October 12th. Carried.

8.2 Director of Infrastructure Services

8.2.1 RFD - Tender for Digger Derrick Lift Truck

W. Yeoman advised that the 2007 capital budget provides for the replacement of Unit 318 (the 1991 Ford single axle truck complete with 1981 Mark II Digger Derrick) in the amount of \$140,000. He further advised that the Chief Mechanic G. Neilsen and Operations Manager, K. Russell recommend that it would be in the Town's best interest to purchase a new unit instead of replacing it with a used unit as outlined in the attached memo from Keith Russell. An invitation to tender for a new unit was issued by the Town and quotations were received from two firms with the lower quote from Commercial Equipment Corp. in the amount of \$169,470.00. He explained that the overall 2007 Capital Equipment Budget will not be adversely impacted based on savings from other equipment purchases.

MO2007.160 Bertamini, Yemen that Council approve the purchase of the new 2007 Digger Derrick Truck Single Axle Unit from Commercial Equipment Corp. in the amount of \$169,470.00 plus GST. Carried.

8.2.2 RFD - Hillsvieview Storm Sewer

W. Yeoman explained that the west portion of Hillsvieview Subdivision Phase 1 was not serviced with an underground storm sewer system and as a result, during heavy rainfall events, very large amounts of surface runoff is collected down the rear alleys and drain to a single catch basin located at the corner of 8th Avenue SW and 1st Street SW. In reviewing offsite levies there are more than adequate dollars to fund this upgrade and further funding when the Phase 2 lots are sold off.

MO2007.161 Yemen, Shoff that Council approves the construction of the proposed storm

drainage system to service the Hillsvew Subdivision Phases 1 and 2 as designed and shall be funded by Offsite Levies Reserves. Carried.

8.3 Director of Corporate Services

8.4 Director of Community Services

8.4.1 Pet Owner's Brochure

S. Stakiw presented the amended Pet Owner's Brochure for Council's review. He advised that J. Brett, Development Officer, has corrected areas on the map where dogs are either permitted (leashed or unleashed) or prohibited. The locations of the relief stations have also been identified however the logistics of the feces removal have to be further discussed. Councillor K. Bertamini stated that she previously asked Council to consider areas in the downtown core where dogs are permitted. She also asked that the roadway system be identified in another color other than red. S. Stakiw advised that the map should be simplified possibly to only show the prohibited areas. Tabled for further direction.

8.4.2 Cemetery Brochure

W. Yeoman presented an amended Cemetery Brochure for Council's review. Councillor K. Bertamini requested that a directive be included that ensures all work carried out in the cemetery receives prior authorization from the Town. W. Yeoman advised that it was cost advantageous to print both brochures at the same time. It was noted that the word lot be changed to plot. Council to receive a draft copy of both brochures prior to the next Council Meeting.

8.4.3 Municipal Development Plan Volume 2 – referred to under 8.1.2.

9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION (next presentation date August 7, 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

10.1 Bylaw 11-07 being a Bylaw to amend the Land Use Bylaw No. 36.98 by redesignating Plan 6495AV, Block 1, Lot 33 & 34 in Drumheller from "R1-A" – Residential District to "R-3" – Residential District – second & third readings

MO2007.162 Bertamini, Yemen second reading to Bylaw 11.07.

Discussion held on Motion:

Councillor J. Sparling advised that he was on the MPC at the time that a previous

application for a similar redesignation was received for the area and he agreed then and now that the R3 residential district is not in keeping with what is currently there. He further stated that the R3 permitted use would include an apartment building. He further stated that he concurs with the comments of the petitioners as represented by Janice Armstrong. Councillor K. Bertamini advised that there are examples of higher and lower density mix within a residential area. She stated that the area currently has senior complexes, two apartment buildings in the south east as well as the Town looking at converting the former hospital parcel to residential. She stated that all communities across Alberta are addressing urban sprawl - communities are better neighbourhood when there is a residential mix. She further stated that areas that have a concentration of duplexes and fourplexes tend to get more run down as there are more renters than homeowners. She stated that a neighbourhood is better cared for when there is ownership in it. She stated that she would not want an apartment building on that corner but she has the full confidence in the MPC. Councillor S. Shoff stated that she concurs with the MPC's recommendation not to allow spot zoning.

Vote on Motion: Defeated.

11.0 DELEGATION DECISIONS

12.0 UNFINISHED BUSINESS

13.0 NOTICES OF MOTIONS

14.0 COUNCILLOR REPORTS

15.0 IN-CAMERA MATTERS

There being no further business the Mayor declared the meeting adjourned at 6:45 PM.

MAYOR

CHIEF ADMINISTRATIVE OFFICER