

Town of Drumheller

COUNCIL MEETING

MINUTES



January 8, 2007 4:30 PM Council Chambers, Town Hall
703 - 2nd Ave. West, Drumheller, Alberta

PRESENT:

ACTING MAYOR:
Karen MacKinnon

COUNCIL:

Karen Bertamini
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: Councillor Don Cunningham

1.0 CALL TO ORDER

Councillor Karen MacKinnon was sworn in as Deputy Mayor for the months of January and February, 2007 during the temporary absence of Acting Mayor Don Cunningham.

2.0 ACTING MAYOR'S OPENING REMARKS

2.1 Presentation to the Drumheller Composite High School Principal, Tom Zariski, Vice Principal – Curtis LaPierre, Teacher – Mrs. Lynn Hemming, Students Board – Rachel Dannhauer and Nassem Sharafi on the 15th Anniversary of the Seniors' Christmas Dinner. Acting Mayor K. MacKinnon congratulated and thanked the school for their efforts in hosting the Seniors' Christmas Dinner. Tom Zariski stated that the Town's Seniors Co-ordinator, Jane Danis has been very instrumental in making the arrangements for the seniors to attend the dinner. He stated that she is a valuable resource for the seniors and

the school would like to share the award with her. DCHS representatives explained the roles and responsibilities of all involved. Council thanked them for their presentation and Acting Mayor K. MacKinnon presented the school with a congratulatory plaque commemorating the event.

2.2 Acting Mayor K. MacKinnon presented a letter from Hon. Rob Renner, Alberta Municipal Affairs advising that a petition for an inquiry into the affairs of the Town of Drumheller was received by his office. In his letter, Hon. Renner stated that he has appointed Ms. Coral Callious of Alberta Municipal Affairs as Chief Administrative Officer for the purpose of determining the sufficiency of the petition. Ms. Callioux has 30 days to report back to the Minister on the sufficiency of the petition.

2.3 Acting Mayor K. MacKinnon presented a letter from Hon. Rob Renner, Alberta Municipal Affairs announcing that the Town of Drumheller has been approved for a grant of \$88,976.25 for the Fire Truck Replacement Program.

2.4 Acting Mayor K. MacKinnon presented a letter from Hon. Rob Renner, Alberta Municipal Affairs announcing funding for emergency management training as a special initiative under the Municipal Sponsorship Program. In his letter, Hon. Renner states that \$175,000 is being made available to provide conditional grant funding for municipalities to deliver emergency management workshops, regional municipal exercises, incident command system courses, and exercise design courses.

2.5 Acting Mayor K. MacKinnon presented a letter from Hon. Rob Renner, Alberta Municipal Affairs regarding the request for an inquiry into the process for a subdivision in Nacmine. In his letter, Hon. Renner stated that he chose not to conduct an inquiry on this matter, however there are several issues that have caused him some concern. He stated that the legal description and civic addresses on the subdivision application and referral letter were incorrect. He further stated that under Section 653 of the Municipal Government Act, a subdivision authority must normally notify the adjacent landowners that an application has been received and allow these landowners sufficient time to provide written submissions. As well, he noted that minutes of the subdivision authority's teleconference were not taken. He asked that the processes outlined in the legislation and regulations be followed in the future.

2.6 Acting Mayor K. MacKinnon presented a letter from Mr. Derek Lovlin, Infrastructure and Operations Director, M.D. of Rocky View No. 44 responding to the Town of Drumheller's concerns relating to their Water Act Application – Balzac Commercial Development. In his letter, Mr. Lovlin responds to concerns identified in the Town of Drumheller's letter and noted that they too believe the practicality of service from a much closer source would make sense to all. However, he further explains that their urban neighbour, the City of Calgary does not agree. He states that their request will not impact existing licences for municipalities in the Red Deer River basin, which receive priority over theirs, and is hopeful that the issue will be resolved.

3.0 PUBLIC HEARING

3.1 Public Hearing to consider 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 and by

redesignating said lands as R-1 Residential District subject to Architectural Controls

Acting Mayor K. MacKinnon called the public hearing to order at 4:50 PM.

Acting Mayor K. MacKinnon asked if there were any individuals who wished to speak in favour or against the amendment.

Wes Chung advised that he met with the adjacent residents of Nacmine and changes have now been made to the Architectural Controls that satisfies both parties. He requested that Council accept the amended proposal. R. Romanetz clarified that he spoke with Wes Chung regarding the landscaping drawings which he has submitted and is now attached to the Architectural Controls as Schedule D. W. Chung advised that the adjacent residents are in agreement with Schedule D.

Councillor J.L. Sparling congratulated Wes Chung and the adjacent neighbors on working together.

Secretary, L. Handy advised that there were no items of correspondence.

Acting Mayor K. MacKinnon closed the Public Hearing at 4:55 PM.

4.0 ADOPTION OF AGENDA

Additions to agenda: 14.2 Councillor K. Bertamini Report on Canadian Badlands and 15.2 Incamera Update on Community Facility Fundraising

MO2007.01 Shoff, Bertamini 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 – December 11, 2006

MO2007.02 Sparling, Shoff moved the adoption of the regular meeting minutes of December 11, 2006 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 Bylaw 01.07 for the purpose of borrowing monies as permitted by Section 256 of the Municipal Government Act

R. Romanetz presented Bylaw 01.07 for the purpose of borrowing monies in accordance with Section 256 of the Municipal Government Act. M. Minchin noted that the Town may borrow up to the principal sum of \$2m from ATB Financial. He further noted that the Bylaw is required as there is not a significant amount of revenue received prior to September when taxes are due. The bylaw authorizes short term borrowing to ensure cash flow to pay authorized expenditures.

MO2007.03 Bertamini, Sparling for first reading to Bylaw 01.07. Carried.

MO2007.04 Shoff, Sparling for second reading to Bylaw 01.07. Carried.

MO2007.05 Bertamini, Sparling no objection to third reading to Bylaw 01.07. Carried.

MO2007.06 Sparling, Bertamini for third reading to Bylaw 01.07. Carried.

8.2 Director of Infrastructure Services

8.2.1 RFD – Tender Closing – Town Hall Boiler

W. Yeoman advised that the tender for the replacement of the Town Hall Boiler closed on December 21st and three tenders were received with the lowest tender from TKNT Mechanical Ltd. He explained that the project includes the supply and installation of a new low pressure steam boiler, removal of existing equipment, modifications to existing piping and related electrical work. He recommended that Council award the tender to TKNT Mechanical Ltd. in the amount of \$64,259.80 plus GST.

MO2007.07 Shoff, Bertamini that Council authorize administration to award the Town Hall Boiler Replacement contract to TKNT Mechanical Ltd. in the amount of \$64,259.80 plus GST. Carried.

8.2.2 RFD – Grant Funding Application - East Coulee Wastewater Treatment Plant

W. Yeoman advised that in 2006, the Province of Alberta approved a grant under the Alberta Municipal Water / Wastewater Partnership Program (AMWWP) for a Process / Engineering Upgrade to the East Coulee Wastewater Treatment Plant. The approved grant provides the Town of Drumheller with 75% funding to a maximum of \$76,125. He explained that since receiving the grant approval, MPE Engineering has completed a review of the plan and provided recommendations for further plant upgrading. One of the priorities identified was to perform a mechanical and structural inspection of the rotating biological contractor (RBC). The subsequent inspection recommends replacement of the current RBC unit which has out lived its original design life of 20 years. The total project cost including engineering is estimated to be approximately \$500,000 (maximum approved grant funding would equate to \$375,000). This proposed project is also eligible for funding

under the same program. He recommended that Council pass a motion to submit a formal application for funding of the program.

MO2007.08 Sparling, Bertamini that Council approves the submission of a grant application under the Alberta Municipal Water / Wastewater Partnership Program for the replacement of the existing RBC Unit at the East Coulee Waste Water Treatment Plant. Carried.

8.3 Director of Corporate Services

8.3.1 Revised RFD – Electrical Energy Contract

M. Minchin presented a revised RFD for a revisit of a council decision made on December 11, 2006. He stated that at that time Council approved entering into a contract with Direct Energy Services. He explained that since that time upon review of the actual contracts from Direct Energy, there were additional charges included in the agreement that were not included in the RFP. These administration fees would have resulted in an addition \$100,000 per year in the cost of electricity to the Town of Drumheller. As a result, Administration declined to enter into an agreement with Direct Energy. He further stated that the Town has been able to secure prices from Constellation Energy (the Town's current provider) and Enmax Energy (the City of Calgary's energy company). Constellation also added an additional administration fee of \$3.00 per street light which would have resulted in additional cost of \$40,000 per year above the cost of electricity. Enmax provided an all inclusive price but because they did not have our load profile for street lights has not provided a price on the street lights. Their price on average was several dollars per MWH below that quoted by Constellation for the remaining accounts. Administration is recommending that Council approve a two year energy supply contract with Enmax for the supply of power to Town facilities excluding street lights.

MO2007.09 Bertamini, Shoff that Council authorize Administration to enter into a retail electricity supply agreement with Enmax Energy of Calgary, Alberta with the term starting January 1, 2007 and ending December 31, 2008.

R. Romanetz stated that if Council so wished, they could amend the motion by authorizing Administration to proceed with entering into an agreement for street lighting based on the best price available.

Council did not agree to amend the motion.

Vote on motion: Carried.

8.3.2 RFD – 2007 Authorization for Payment of Current Operating Accounts

M. Minchin advised that pursuant to subsection 248(2) of the Municipal Government Act, Council must approve a procedure for authorizing and verifying expenditures not included in the current year's budget. Since the 2007 operating has not yet been approved, a

resolution from Council is required to authorize the CAO, or his delegate, to pay all current accounts, which are a proper charge of the Town, until the 2007 Operating and Capital budgets are approved.

MO2007.10 Sparling, Shoff that Council in accordance with Section 248 (2) of the Municipal Government Act, authorize the Chief Administration Officer or his delegate, to pay all current accounts, which are properly charged to the Town, until the 2007 Operating and Capital Budgets are approved by Council. Carried.

8.4 Director of Community Services

8.4.1 Memo regarding response from Palliser on Banorte Subdivision

S. Blevins presented a memo in response to the letter from Minister of Municipal Affairs regarding the Banorte Subdivision which was read into the record earlier this evening. He further explained that Palliser Regional Municipal Services has provided two documents: 1) a guide to Subdivision Applications to ensure that the steps as outlined in the Municipal Government Act are followed, and 2) the Subdivision Approval Policy used by their staff. S. Blevins stated that he is satisfied that David Amos, Director of PRMS will correct the concerns as stated in the Minister's letter. Acting Mayor K. Mackinnon thanked Town Administration for taking the responsibility to ensure that the appropriate procedures put in place to ensure compliance with the MGA and regulations.

R. Romanetz stated that Administration will forward a copy of the package received from PRMS to the Minister of Municipal Affairs and the adjacent resident so that they are aware of the subdivision application policy in place.

MO2007.11 Shoff, Bertamini that Council authorize Administration to forward the two documents from Palliser Regional Municipal Services and a letter from the Town of Drumheller to Hon. Ray Danyluk, Minister of Municipal Affairs, the adjacent neighbors and developer advising of the new policies and procedures that are in place. Carried.

9.0 PRESENTATION OF QUARTERLY AND ANNUAL REPORTS BY ADMINISTRATION (January 22, 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 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 Plan 8111199 Block 2 Lot 1 in the Nacmine District of Drumheller and by redesignating said lands as R-1 Residential District subject to Architectural Controls – second and third readings

R. Romanetz stated that with the introduction of Schedule D at this evening's meeting, any further readings to the bylaw must be as amended.

MO2007.12 Bertamini, Sparling for second reading to Bylaw 26.06 as amended. Carried.

MO2007.13 Shoff, Sparling for third reading to Bylaw 26.06 as amended. Carried.

11.0 DELEGATION DECISIONS

12.0 UNFINISHED BUSINESS

13.0 NOTICES OF MOTIONS

14.0 COUNCILLOR REPORTS

14.1 Councillor Karen Ann Bertamini provided an overview of the AUMA Community Infrastructure Meeting held on January 4th as follows:

- Town of Drumheller's concerns with the newly announced Brownfield Reclamation Program were brought forward to the Committee who have in turn brought the concerns to the attention of the AUMA's Environment's Committee. The AUMA Board is proposing to meet with the Minister to discuss these concerns. A report will be brought back to Council in the near future;
- Committee is currently investigating alternative housing strategies including a survey to members with regards to experiences of other communities in setting up temporary project accommodation and innovative approaches. The purpose would be to encourage more accommodation in residential, commercial and industrial premises and to develop strategies for innovative types of housing and higher density approaches.
- A letter has been forwarded to the Minister of Transportation and Infrastructure emphasizing the importance of affordable transportation in all Alberta communities. The Committee would like the Minister to provide ongoing stable operating and capital funding in order to enable those communities who start an affordable transportation system that they can maintain, such as community handi buses. As well as allowing communities to purchase the type of equipment which meets the requirements of their residents and community.
- The Committee has completed the operational plan and as soon as the AUMA board approves the plan, it will be shared with Town Council.

14.2 Councillor Karen Ann Bertamini advised that the Canadian Badlands Ltd. has retained the services of the Pommen Group to interview candidates for the position of an Executive Director. The Executive Director would be responsible for promoting the Canadian Badlands as a second tourism icon for Alberta and the ensuring the outcomes of the

various Board and Committee initiatives are carried out in accordance with the policies and plans approved by the Board.

She further requested that an RFD be prepared for Council's next meeting approving the Canadian Badlands logo to be incorporated into the Town of Drumheller's letterhead.

Councillor J. Sparling asked to add an agenda item incamera to discuss the letter received from the Town's Solicitor dealing with the Kneehill Water Supply Agreement.

MO2007.14 Sparling, Bertamini that the letter from the Town's Solicitor dated January 2, 2007 regarding the Kneehill Water Supply Agreement be discussed incamera this evening. Carried.

15.0 IN-CAMERA MATTERS MO2007.15 Sparling, Bertamini for Council to go incamera at 5:30 PM. Carried.

15.1 Personnel Matter

15.2 Incamera Update on Community Facility Fundraising

15.3 Letter from Town's Solicitor dated January 2, 2007 regarding Kneehill Water Supply Agreement

MO2007.16 Sparling, Bertamini to revert to regular Council meeting at 6:53 PM. Carried.

MO2007.17 Sparling, Shoff that Council approval a 3.5% increase for out of scope employees, including the CAO, to be retroactive to January 1, 2007. Carried.

There being no further business the Mayor declared the meeting adjourned at 6:55 PM.

ACTING MAYOR

CHIEF ADMINISTRATIVE OFFICER