

Town of Drumheller

COUNCIL MEETING

MINUTES



July 9, 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

ACTING DIRECTOR OF CORPORATE SERVICES:

Bill Wulff

ACTING DIRECTOR OF COMMUNITY SERVICES:

Jerry Brett

RECORDING SECRETARY:

Linda Handy

ABSENT: Councillor Karen MacKinnon

1.0 CALL TO ORDER

2.0 MAYOR'S OPENING REMARKS

2.1 Mayor Bryce Nimmo presented a letter from Merridy Martin, Chair, Drumheller Steering Committee, Relay for Life thanking the Town of Drumheller for supporting the event

2.2 Mayor Bryce Nimmo presented the Relay for Life – Drumheller Steering Committee with a plaque in recognition of Drumheller's 1st Annual Relay for Life which raised over \$430,000 for the Canadian Cancer Society and caught the imagination and enthusiasm of the Town and the surrounding area. On behalf of Town Council and those families living with cancer, Mayor Nimmo congratulated the organizers and participants for making Drumheller and district a leader in the Relay for Life fight against cancer.

2.3 Mayor Bryce Nimmo read a letter from Annon Hovde, Chair, Kneehill Regional Water Services Commission. In his letter Chair Hovde requests a written response for the following issues: Water Allocation and Commission Boundaries in Agreement. Mayor Nimmo advised that a response to Chair Hovde's letter will be discussed in camera this evening.

2.4 RCMP Staff Sgt. Recruitment Update

Mayor Bryce Nimmo advised that he and the CAO participated in two interviews with accredited applicants for the position of Staff Sgt. on July 5th. A successful candidate was chosen and an announcement will be made shortly.

3.0 PUBLIC HEARING

4.0 ADOPTION OF AGENDA

5.0 MINUTES

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

5.1.1 Council Regular Meeting – June 25, 2007

MO2007.139 Sparling, Shoff moved the adoption of the Regular Council Meeting of June 25, 2007 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 11.07 being a bylaw to amend the Land Use Bylaw by redesignating the area in Plan 6495AV Block 1 Lots 33 & 34 in Drumheller from R-1A Residential District to R-3 Residential District

CAO R. Romanetz advised that a proposal was received from Mr. Ossie Shetty to redesignate an area as noted in the above legal description from R-1a to R3 (both residential districts). He further advised that the applicant wishes to construct a triplex multi family unit. He explained that the normal practice is for the application to be reviewed first by the MPC to allow for their comments. He reported that the MPC was not in favour of the reclassification for two reasons: First, another application was received two years ago for a similar reclassification about midpoint in the same block and was turned down

following the public hearing. At that time, the neighbors were not in favour of increasing the intensity of use and they wanted the residential district to remain as R1a for single family homes. Secondly, the MPC was not in favour of spot zoning in the R1a residential district at that time nor are they now for the current application. R. Romanetz stated that although the applicant is aware of the MPC's comments, he wishes to pursue the application. He further stated that Council has two options, not to support the reclassification or proceed to first reading and provide an opportunity for the residents to present their views at the public hearing.

MO2007.140 Bertamini, Yemen for first reading to Bylaw 11.07. Carried.

Councillor S. Shoff stated that she is not in favour of the proposal from two years ago nor the current reclassification and agrees with the comments of MPC about spot zoning. Councillor K. Bertamini stated that Council should not block an application and the residents should be given the opportunity to voice their opinion.

8.1.2 RFD – Badlands Community Facility Plebiscite Date and Strategy

R. Romanetz advised that the RFP summarizes the project planning and review stages over the past few years. He stated that the Badlands Community Facility has been identified as a corporate priority for the last four or five years. At their Committee Meeting of July 3rd, Council was presented with the strategy and action plan dealing with the steps leading up to the plebiscite scheduled for October 15, 2007. He further explained that flexibility must be built into the guidelines as timelines may change for various reasons. The information being presented is based on the location adjacent to the arena and as referenced in both grant application submissions.

MO2007.141 Sparling, Bertamini that Council hold a plebiscite on October 15, 2007 for the proposed construction of the Badlands Community Facility located east of the existing arena, bound to the north by the Red Deer River and to the south by Riverside Drive as referenced in the Drumheller Recreation Feasibility Study dated February 2006, the CAMRIF application #18239, and the MCFP grant application dated June 22, 2007.

Councillor K. Bertamini asked if Administration would like a reference to the Strategy and Action Plan in the motion. R. Romanetz stated that a separate motion would be preferred. Councillor T. Yemen asked for clarification on the tax increase for the average homeowner. R. Romanetz advised that the tax increase would equate to \$89.00 per \$100,000 assessment however the majority of the capital has been built into the millrate. The homeowner would also see an annual increase on the operational side. Councillor J. Sparling stated that this Council has been proactive in dealing with the project as it sees the benefits derived from such a facility such as the economic and sporting opportunities as well as attracting new conventions in our area. Councillor K. Bertamini stated that Council's role is to set direction and be visionary. She further stated that Council feels that the facility has been needed in Drumheller for many years and with the passing of this motion, Council

has done their job and now it becomes a public decision on what the residents want in their community. Councillor S. Shoff asked if her involvement is required on the Communications Steering Committee. R. Romanetz advised that if Council passes the motion this evening, the Committees will become active and provide input into the guideline process. He stated that the Committee may have to change direction – all Committees will have a role to play to ensure the proposed Badlands Community Facility is properly presented.

Vote on Motion: Carried unanimously (with Councillor K. MacKinnon absent).

MO2007.142 Bertamini, Sparling that Council approved the Strategy and Action Plan for the October 15, 2007 Plebiscite for the Badlands Community Facility in principle. Carried unanimously (with Councillor K. MacKinnon absent).

8.1.3 RFD – Bylaw Enforcement Services

R. Romanetz advised that at the Council's Committee Meeting of July 3rd, Council were presented with the draft agreement between Kneehill County and the Town of Drumheller for the provision of bylaw enforcement services. The agreement is reflective of the negotiations and defines the specific costs. The term of the agreement expires December 31, 2007 with the provision that either party may withdraw with 60 days notice. R. Romanetz advised that the Town will enter into budget deliberations in October / November which provides an opportunity to review any staffing concerns and the Town may be in a better position to set direction for 2008.

MO2007.143 Shoff, Bertamini that Council approves the MOU for the part-time, short-term provision of bylaw services from Kneehill County for a six-month term, expiring on December 31, 2007.

Councillor T. Yemen requested that regular activity reports from the Kneehill officers be submitted to the Town. R. Romanetz advised that Clause 6 of the Agreement outlines this requirement. Councillor T. Yemen further asked that the Town have input into their shift schedules. R. Romanetz stated that the Town would want input into their shift schedules to ensure we cover enforcement needs on a seven day basis when required.

Vote on Motion: Carried.

8.1.4 RFD - Grant # Project 2007-15 Drumheller Affordable Housing Project

MO2007.144 Bertamini, Yemen that Council approve the Agreement for Funding between Alberta Real Estate Foundation and the Town of Drumheller dated June 12, 2007 as presented. Carried.

8.1.5 Staffing Announcement

R. Romanetz advised that the Town has been successful in recruiting a Director of

Community Services. His name is Scott Stakiw from Bracebridge, Ontario. He has background in bylaw enforcement and planning. R. Romanetz thanked Jerry Brett for filling as Acting Director of Community Services.

8.2 Director of Infrastructure Services

8.2.1 Penitentiary Sewer Line Update

W. Yeoman advised the Penitentiary Sewer Line needs to be replaced as there have been numerous operational problems on portions of this line over the past several years. The problems generally were related to plug ups caused from the release of unsuitable material from the Institution and in some cases, from vandalism where manhole frames and covers were removed and the line was filled with boulders, etc. Those problems were resolved with the installation of a comminutor which grinds up larger materials. However over the last three or four months problems experienced have been the result of plug ups from sewage flowing onto adjacent property and requiring the Town to berm up areas to ensure this flow did not enter into the natural drainage channel to the Red Deer River. The line is no longer capable of providing acceptable service. The two portions of the line needing replacement are the corrugated steel pipe located on the steep slope located between the top of the escarpment and the Valley floor. Council viewed photos which showed the corrosion and collapse of the line in a number of locations. The Town of Drumheller commissioned MPE Engineering to seek out solutions to this problem and in a report dated June 26, 2007, they recommended that the Town reline the existing line as opposed to a complete replacement at a cost of \$92,500.00. However after inspecting the line further, the CAO found the surface water had eroded away the earth cover on the line resulting in a collapse of the line. This results in addition money to be budgeted to properly regrade the area around the line to deal with the significant erosion that has occurred over the last 40-plus years and to stabilize any sections that may have settled due to the erosion. An allowance of \$50,000 is recommended to be added to the engineering estimate prepared by MPE to cover the regarding and stabilizing outlined above. This would bring the project costs to \$142,500.00.

MO2007.145 Bertamini, Shoff that Council authorize Administration to design, tender and construct the improvements as outlined above at an estimated cost of \$142,500.00.

Councillor T Yemen asked why the Institution would not cost share on the improvements due to the unsuitable materials being disposed of. R. Romanetz advised that the Institution has addressed that problem with the installation of the comminutor at their cost. He further stated that the Town has secured the manhole frames and covers in an attempt to prevent vandalism. He further explained that the line has corroded over the years since being installed and paid for in 1963 / 64 by the federal government however in accordance with the agreement, any repairs would be the responsibility of the Town of Drumheller as it is the Town's line. R. Romanetz stated if there is an opportunity for cost sharing certainly the Town will pursue it.

Vote on Motion. Carried.

8.3 Acting Director of Corporate Services

8.3.1 RFD – Town Page Contract

Council S. Shoff excused herself from deliberations and voting on Item 8.3.1. She left the meeting at 5:17 PM.

MO2007.146 Sparling, Yemen that Council award the Town of Drumheller's "Town Page" contract for the period of August 1, 2007 to July 31, 2008 to the Drumheller Mail at the weekly price of \$220.00 plus GST. Carried unanimously (with Councillor MacKinnon absent).

Councillor S. Shoff returned to the meeting at 5:21 PM.

8.4 Acting Director of Community Services

8.4.1 Municipal Development Plan Volume 2

J. Brett presented Council with the Municipal Development Plan Volume 2. He stated that the Land Use Bylaw will be the final document for Council's review. Once received, Council agreed to review all three documents at a Council Committee Meeting. R. Romanetz advised that David Amos, Planner with Palliser Regional Municipal Services has allowed for two public presentations by mid September with the public hearing to be held shortly thereafter with approval of all three documents by October 15th, 2007.

8.4.2 Updated Drumheller Municipal Cemetery Brochure

J. Brett presented changes to the Cemetery Brochure which includes the addition of the Field of Honour and the new rates as approved by Council in the 2007 budget. Councillor Bertamini requested that the brochure also include wording "that any work in the Cemetery must be pre-authorized by the Town of Drumheller".

8.4.3 Updated Pet Owner's Guide Brochure

J. Brett presented changes to the animal relief station map as some stations were planned in the past and have not been constructed. He recommended that the Suspension Bridge be identified as an animal prohibited area. As well Elgin Hill area is identified as an off leash area and if there is future development of this site, this area may have to be removed from the map. Councillor K. Bertamini stated that there are a lot of people in the community including tourists who are responsible pet owners and she would like to see some places identified in the parks where people can take their dogs. R. Romanetz advised that there are several identified locations on the map however in most cases, the dog must be leashed. Administration will provide a hard copy of the brochure to Council for their further review and comments prior to printing.

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 Acting Director of Corporate Services
- 9.4 Acting 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 K. Bertamini presented the additional wording for inclusion on the *Welcome to Drumheller* signage which identifies our community as part of the Canadian Badlands.

MO2007.147 Bertamini, Sparling that the signage as outlined in the proposal dated July 9, 2007 be added to the entrance signs at the north and south entrance to the municipal boundaries. Carried.

15.0 IN-CAMERA MATTERS MO2007.148 Bertamini, Sparling to go in camera at 5:35 PM. Carried.

15.1 Land Matter – Plan 0113494 Block 1 Lot 5

15.2 Land Matter – NE1/4-36-28-20-W4M

15.3 Land Matter – SE1/4-29-20-W4M

MO2007.149 Bertamini, Shoff to revert to regular Council Meeting at 6:20 PM.

15.1 **MO2007.150** Bertamini, Yemen, that there be a one time 90 day extension granted to Ken Hemmerich to obtain his development and building permits for Plan 0113494 Block 1 Lot 5. Carried

15.2 **MO2007.151** Sparling, Bertamini, that Administration serve notice to Canadian Industrial and Auto Recyclers that the contract for their operations located at the NE quarter of Section 36 Township 28 Range 20 West of the 4th meridian, will not be extended beyond the expiry date of November 16, 2012; and further, that this location will be used as the future location for the Public Works operations. Carried

15.3 **MO2007.152** Shoff, Sparling, that the Town accept the proposed land swap at the SE quarter of Section 1, Township 29, Range 20, West of the 4th Meridian, as detailed in the correspondence dated July 5, 2007 by O.R. Shetty. Carried

There being no further business the Mayor declared the meeting adjourned at 6:24 PM.

MAYOR

CHIEF ADMINISTRATIVE OFFICER