

# **Town of Drumheller**

## **COUNCIL MEETING**

### **MINUTES**



**September 10, 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 CORPORATE SERVICES:**

Michael Roy

#### **DIRECTOR OF COMMUNITY SERVICES:**

Scott Stakiw

#### **RECORDING SECRETARY:**

Linda Handy

**ABSENT:** Councillor Karen MacKinnon

Wes Yeoman, Director of Infrastructure Services

### **1.0 CALL TO ORDER**

Councillor Terry Yemen was sworn in as Deputy Mayor for the months of September and October, 2007

### **2.0 MAYOR'S OPENING REMARKS**

2.1 Mayor B. Nimmo presented a letter from Hon. Ray Danyluk, Minister, Municipal Affairs and Housing announcing the Municipal Sponsorship Program for 2007. In his letter Hon. Danyluk states that the Province has introduced some program changes which include increasing the intermunicipal bonus and expanding the scope of eligible projects for priority project bonus funding to include recreation, solid waste management and storm water systems. The application deadline is September 28, 2007.

2.2 Mayor B. Nimmo presented a letter from Hon. Ray Danyluk, Minister, Municipal Affairs and Housing announcing that the finalized program guidelines and application forms for the

Capital Project Funding component of the 2007/08 Municipal Sustainability Initiative would be advanced to each municipal office shortly. In his letter, Hon. Danyluk states that the MSI program guidelines reflect input gathered during consultations with local government representatives and now gives enough flexibility to meet the needs of each municipality while still ensuring the necessary accountability for the use of the MSI funds.

2.3 Mayor B. Nimmo presented a letter from Hon. Luke Ouellette, Minister, Infrastructure and Transportation advising that \$1,478,575 which represents the full amount of the 2007 instalment payment under the Alberta Municipal Infrastructure Program (AMIP) has been forwarded to the Town.

2.4 Mayor B. Nimmo presented a letter from Hon. Fred Lindsay, Solicitor General and Minister of Public Security announcing that \$262,280 under the 2007-08 Municipal Policing Assistance Grant has been forwarded to the Town.

2.5 Mayor B. Nimmo advised that he attended CTV's Canadian Idol in Toronto on September 4<sup>th</sup>. At that time, he had the opportunity to speak with Jaydee Bixby who wanted Drumheller residents to know that he appreciates the community's support and that he is proud to say he is from Drumheller.

### **3.0 PUBLIC HEARING**

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

**Additions to Agenda:** 14.1 Councillor K. Bertamini – Community Housing and 14.2 Councillor K. Bertamini – Support Our Troops Decals

**MO2007.163** Bertamini, Yemen 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 – August 7, 2007**

Councillor T. Yemen noted that it was *both the Valley Times and the Drumheller Mail* who had the incorrect name on the seconder of 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.

**MO2007.164** Sparling, Shoff moved the adoption of the minutes of the Regular Council meeting minutes of August 7, 2007 as amended. Carried.

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

###### **5.2.1 Municipal Planning Commission – July 26, 2007**

###### **5.2.2 Municipal Planning Commission – August 16, 2007**

###### **5.2.3 Management Committee Meeting – August 27, 2007**

##### **5.3 BUSINESS ARISING FROM THE MINUTES**

## **6.0 DELEGATIONS**

Diane McBeth, Superintendent, Christene Howard, Board Chair, Karen Harris and Wilf Golbeck, Trustees, Golden Hills School Division #75 and Tom Zariski, Principal, Drumheller Composite High School.

Diane McBeth provided a power point presentation on statistics such as, student enrolments and programs, staffing, major accomplishments, and awards. She highlighted the success of the International Student Services Program stating that the Asia Pacific Foundation estimates that the average student spends at least \$25,000 per year beyond tuition fees. She further explained that by using these figures (200 students) \$5,000,000 in funds is injected into the economies of the communities in Golden Hills School Students. In Drumheller alone – over \$2,000,000. The DCHS dormitory houses 65 students with 21 countries represented. Drumheller's International Program is becoming well known, not only overseas but in Canada as well.

Tom Zariski, Principal, Drumheller Composite High School (DCHS) provided an update on the modernization project for their school. He explained that the architectural contractors have been creative with their plans by taking the old building and reconfiguring it to make it appear brand new. The project will cost \$17.5 million dollars. The current size is 10,143 sq. m. which will be reduced to 7,350 sq. m. The board is currently in the program development stage with the conceptual and schematic design to be completed in late September. The project is scheduled for completion in January 2010.

Christene Howard presented Council with Golden Hills School Division quarterly newspaper, the *Link*, written by Wilf Golbeck. She thanked Council for the opportunity to share their program achievements.

Mayor and Council thanked the Golden Hills School Division representatives for their presentation.

## **7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS**

## **8.0 REQUEST FOR DECISION REPORTS**

### **8.1 CAO**

8.1.1 Bylaw 12.07 being a bylaw to amend the Land Use Bylaw by redesignating Plan 9111965 Block 1 from M3 (Railway Industrial District) to HWY-C (Highway Commercial District) – first reading

R. Romanetz presented the planning report as prepared by Development Officer, Jerry Brett and Palliser Regional Municipal Services, which shows a detailed map of the location as well as a copy of the application for amendment. He explained that the proposal is to reclassify the land at the corner of 5<sup>th</sup> St. SE (Hwy 9) and South Railway Ave SE from “M-3” Railway Industrial to “HWY-C” Highway Commercial. He explained that one of the

recommendations currently being examined in the current Land Use Bylaw review is the reclassification of such lots to "HWY-C" as the neighboring lots are all designated Highway Commercial. He stated that the Municipal Planning Commission supports the proposal and he recommended that Council proceed to first reading.

Councillor Karen Bertamini asked if the motion should include the additional properties that are not already zoned HWY-C. R. Romanetz stated that it is the Town's intention to change the entire area to the commercial designation once the Land Use Bylaw's review is complete. He further explained that any change to the proposal would have to be discussed with the property owner and would delay first reading to the bylaw amendment.

**MO2007.165** Bertamini, Sparling for first reading to Bylaw 12.07. Carried.

8.1.2 Bylaw 13.07 being a bylaw to amend the Land Use Bylaw by redesignating Plan 4159CP Block 7 Lots 4, 5 and 6 from R1a (Residential District) to R3 (Residential District) – first reading

R. Romanetz advised that the applicants wish to reclassify their lands at 802 2<sup>nd</sup> Street SW from R-1a residential to a higher density R-3 residential. He stated a planning report has been provided from Development Officer Jerry Brett. He stated that the MPC are against first reading as they see it as "spot zoning" and in most circumstances is not recommended as it ends to detract from the principles of good planning. Councillor K. Bertamini stated that she believes in mixed districts because there is a need to increase the residential mix in Drumheller due to the huge gap in the Town's housing continuum. Councillor Bertamini moved first reading of Bylaw 13.07 however there was no seconder. Councillor K. Bertamini stated that the public should be given the opportunity to comment on the applicant's proposal.

8.1.3 RFD – Drumheller & District Seniors Foundations Transfer of Land Request

R. Romanetz explained that in their letter of August 20, 2007, the Drumheller and District Seniors Foundation (DDSF) is requesting approval for the transfer of land legally described as Plan 7410899 Block 3. The DDSF is proposing an addition of 36 supportive units located to the west of the existing site. He explained that the Town wishes to retain the area of land known as the Rotary Park as identified on the attached drawing. Councillor T. Yemen who serves on the board, advised that the project will take one year to complete. R. Romanetz further explained that the Town holds title to this land however it was agreed that if an expansion were to proceed, the Town would transfer this property for this particular use. He stated that the board has worked hard to put the funding together.

**MO2007.166** Shoff, Yemen that Council agree to transfer land legally described as Plan 7410899 Block 3 to the Drumheller and District Seniors Foundation subject to a subdivision being carried out for the Town of Drumheller to retain the area known as the Rotary Park. Carried.

#### 8.1.4 RFD - 2007/08 Municipal Sustainability Initiative Capital Funding Agreement

R. Romanetz advised that further to the presentation of the letter from Hon. Ray Danyluk, Minister, Municipal Affairs and Housing under the Mayor's Item 2.2, the Province has also forwarded the Capital Project funding 2007 guidelines. Under the 2007/08 Municipal Sustainability Initiative (MSI) Grant Program the Province has agreed to make a conditional grant in the amount of \$513,228 to the Town of Drumheller. He recommended that Council sign the agreement to move forward with the first year program.

**MO2007.167** Bertamini, Shoff that Council approve the Memorandum of Agreement under the Municipal Sustainability Initiative Capital Project Funding between Alberta Municipal Affairs and Housing and the Town of Drumheller.

#### Discussion on Motion:

Councillor K. Bertamini requested that the Mayor send a letter to Hon. Ray Danyluk, Minister, Municipal Affairs and Housing outlining the Town's concerns with the MSI continuing to hold the affordable housing funding component under this grant umbrella as well as reiterating other concerns relating to this grant program.

Vote on Motion: Carried.

#### 8.1.5 RFD – Proposed Subdivision (Applicant: Jeffery Paarup) Municipal Reserve; NW ¼ 29-28-19-W4M; SW ¼ 32-28-19-W4M; Plan 1834 FS Block A; Plan 1835 FS Block B

R. Romanetz advised that the Paarups wish to subdivide the above noted land as identified on the map. He stated that it is a large parcel of land located north of highway commercial property (John Deer) along Hwy 10. He stated that the application has been around for a few years and was recently revisited by Palliser as the access has been shifted from the west side to the east. Section 666 of the Municipal Government Act, gives a subdivision approving authority the power to require a reserve at the time of subdivision approval. He explained that as noted in the RFD, Council has the option to take the land, money or a combination of land and money. He referred to the Paarups letter of July 11, 2007, and stated that they feel the dedication of a land reserve is not necessary because of the size of each parcel. The Paarups provided an appraised value of the area for the Municipal Reserve in the amount of \$23,843. After reviewing their request with Administration, it is recommended that Council accept the proposal from the Paarups in lieu of land reserve.

**MO2007.168** Sparling, Yemen that Council accept the cash in lieu of a Municipal Reserve in the amount of \$23,843 as outlined in the appraisal prepared by Perry Appraisal for the proposed subdivision legally described as NW ¼ 29-28-19-W4M; SW ¼ 32-28-19-W4M; Plan 1834 FS Block A; Plan 1835 FS Block B, Landowners: Jeffery and Marina Paarup.

#### Discussion on Motion:

In response to a question from Council, R. Romanetz stated that the applicant will be required to dedicate an environmental reserve adjacent to the river. However the municipal

reserve portion as outlined is at council's discretion. Councillor J. Sparling stated that the parcels are large which gives the property owners their own area for recreational activity. Councillor K. Bertamini asked if the Town needs to register a caveat against the new property titles to ensure the environment reserve will be used for a walking trail. R. Romanetz stated that the Town could register interest by form of a written letter to the property owners.

#### 8.1.6 Capital Project Update

In W. Yeoman's absence, Ray Romanetz presented an overview of the Capital Projects Update as follows:

- **Rosedale to Cambria Waterline Project:** Knibb Developments Ltd is very close to having the project 100% completed. All mainlines have now been installed and are now in the process of being pressure tested, disinfected, and flushed. Once all lines have been satisfactorily tested all residents on the new line will be notified by mail that the line is ready for connection. All outstanding surface restoration work is also expected to be completed shortly.
- **2007 Street Improvement Program:** Brooks Asphalt is nearing completion of the years program. Completed projects include 2<sup>nd</sup> St. East from Riverside Drive to North Railway Avenue, 16<sup>th</sup> Street NW from Old Dinosaur Trail to 4<sup>th</sup> Avenue NW, 6<sup>th</sup> Avenue East from 12<sup>th</sup> Street East to 14<sup>th</sup> Street East. Cemetery entrance road paving, Water Treatment Plant main parking lot reconstruction as well as many other miscellaneous concrete curb and sidewalk replacements and asphalt repaving throughout the Town. The Railway Avenue (Rosedale) road construction is complete and is ready for asphalt paving which is expected at any time now depending on Brooks Asphalt availability. The Hillsvie Subdivision storm drainage structures are now in place. Concrete curb and gutter is still remaining to be installed followed by asphalt paving of laneway.
- **The 5<sup>th</sup> Street East to 6<sup>th</sup> Street East Alley Watermain Replacement Project** was completed by Total Water and Sewer Ltd. The old cast iron watermain was successfully replaced by using pipe bursting technology. Final pavement restoration is the only outstanding deficiency for the project.
- The detailed design of **the Drumheller Wastewater Treatment Plant Upgrade** combined with the 19 Street Lift Station and forcemain continues. Final design and contract documents are expected to be completed by October in time for construction in the spring of 2008. The Town has resubmitted our application for funding under the Canada Alberta Municipal Rural Infrastructure Fund (CAMRIF) for round two.
- **The Nacmine Lift Station Flood Proofing Project** was designed by Ed Palm, P. Eng. The project was tendered and was awarded to Greene Construction Ltd. This project will be completed this fall.
- **The Penitentiary Sewer Main Rehabilitation Project** was approved by Council on July 6, 2007, and was awarded to the low bidder, New Line Trenchless

Technologies, on July 23, 2007. The Project will be completed in the month of September, 2007.

- The Province of Alberta and their consultant Mack Slack and Assoc. completed the design and contract documents for the proposed **Midland Dyke and the Newcastle Dykes Project**. The Province is now in the process of tendering the project with the expectation that construction would start as early as October with a substantial completion date March 30<sup>th</sup> and a final completion date of June 30<sup>th</sup>.
- The Town also continues to liaison with AIT in regards to the **proposed improvements at the Gordon Taylor Bridge and the modifications to Highway 9** which includes the removal of the left turn at 1<sup>st</sup> Avenue West. These works are expected to be designed and ready for tender this winter for construction in 2008.

Mayor Nimmo stated that he was proud of Administration's accomplishments particularly in light of the time spent on the issues relating to the boil water order.

## **8.2 Director of Infrastructure Services**

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

#### **8.3.1 RFD – Banking Proposals**

Council T. Yemen removed himself from deliberation and voting on this matter at 5:50 PM.

M. Roy advised that the Town had issued an RFP for banking services on June 14, 2007 with a closing date of June 29, 2007. The proposal for banking services was for a five year period. He stated that copies of the RFP were sent to six financial institutions in Drumheller and of the six, four submitted a proposal from ATB Financial, Chinook Credit Union, Royal Bank and BMO Bank of Montreal. He explained that the proposals were evaluated based on a weighted scoring system out of 100. In addition, an overall investment revenue/banking cost analysis was carried out. In response to Councillor K. Bertamini's request for more detail on how the score was arrived at, M. Roy reviewed the weighted scoring system in detail. Based on the weighted scoring system, Administration is recommending that Chinook Credit Union be awarded the five year banking contract.

**MO2007.169** Shoff, Sparling that Council award the five year Banking Services contract to Chinook Credit Union, in Drumheller.

Discussion on Motion:

Councillor S. Shoff asked if the cost to change banks was factored into the equation. M. Roy stated no however Chinook will provide a 5000 cheque supply. He explained that the change would result in some minor adjustment that may need to be made to the Town's computer program. He further explained that if the cost to change banks was factored into the equation it would create an unfair advantage for the other banks not currently providing

this service to the Town.

Vote on Motion: Carried.

Councillor T. Yemen returned to the table at 6:00 PM.

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

##### **8.4.1 RV Camping Update**

S. Stakiw presented a report on the issue of recreational vehicles camping on commercial or municipal property (parks and parking lots). As a result of going over the files and carrying out research of other municipalities, in the majority of cases, councils have decided that although they were sympathetic, the issue was not something they were in a position to effectively resolve. He explained that the Town has an existing regulatory bylaw in place for those individuals choosing to camp on town park property. He explained that as far as camping on commercial property, he was not able to find too many examples within the Town where it is a problem. As well, the commercial property owners are reluctant to post signs restricting no overnight camping as they do not want their staff monitoring this situation nor do they want the signage to be unwelcoming to their shoppers. S. Stakiw stated that based on the research and time spent to date, no further action should be warranted. R. Romanetz advised that he received a call from the Walmart manager advising that their legal department is reviewing the matter and will provide a response shortly. Councillor T. Yemen stated that he disagrees that the problem is perceived because he has been carrying out his own monitoring and he does see this activity taking place (2 – 7 RV's in the parking lots each night throughout the summer). He agrees with the campground owners that they are losing thousands of dollars in revenue. Councillor J. Sparling stated that thousands of dollars loss of revenue would be difficult to prove. Councillor S. Shoff advised that a letter to the campground owners advising of the research to date would be appropriate. She advised that the campground owners should provide more information to support their allegations. Mayor Bryce Nimmo stated that it appears the consensus is that a regulatory bylaw is not the answer however he would like to see the matter finalized before the next election as the matter was brought to this Council's attention. Tabled until a report is brought back from campground owners.

8.4.2 Drumheller Municipal Cemetery Brochure – tabled to September 17, 2007.

8.4.3 Pet Owner's Guide Brochure (Dog Map) – tabled to September 17, 2007.

#### **9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION (next presentation date October 29, 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**

## **11.0 DELEGATION DECISIONS**

## **12.0 UNFINISHED BUSINESS**

## **13.0 NOTICES OF MOTIONS**

## **14.0 COUNCILLOR REPORTS**

14.1 Councillor K. Bertamini provided an update to Council on the Subsidized Housing Phase 1 which is located on Hunts Drive. She stated that Council is aware that these units are 37 years old and are funded 90% Province and 10% Municipal with 13 years left on the mortgage. She stated that Ray Page, herself and Town Administration have had two face to face meetings with Provincial Housing representatives. Issues that were addressed included drainage, roofs and ongoing water issues not specific to but certainly aggravated by the wet summer. The goal of these meetings was to come up with solutions that would be both timely and workable in the long run. In the short term, Drumheller Housing Administration has purchased shop vacs and dehumidifiers that can be used by the tenants, if needed. They will be installing eight (8) sump pumps. A contractor has been hired that specializes in mud jacking and he will be raising the cement patios to a profile that is conducive to proper drainage. Work will be starting very quickly on the front units. She explained that the scope of this work will see the sidewalk being removed and the land resloped to ensure drainage away from the units and into the Town's storm sewer system. She stated that the long term strategy is still being worked on. The roof will be replaced and put in the budget in 2008. The scope of the work this year is estimated to be \$200,000.

R. Romanetz advised that no contract has been awarded for the construction of the proposed 20 unit apartment at this point in time.

14.2 Councillor K. Bertamini stated that regardless of individual feelings on the war, it is important to show support for Canada's troops and she suggested that Council pass a motion to have "Support our Troops" stickers on the Town vehicles. The Drumheller Legion has offered to donate the stickers to the Town.

**MO2007.170** Bertamini, Yemen in recognition of and support for our Canadian troops, Council directs that all municipal vehicles proudly display a support our troops decal to be supplied by the Drumheller Legion Branch #22.  
Carried.

Mayor Bryce Nimmo circulated a press release advising of the resignation of Scott Stakiw, Director of Community Services.

**15.0 IN-CAMERA MATTERS MO2007.171** Bertamini, Sparling to go in camera at 6:30

PM. Carried.

15.1 Personnel Matter

15.2 Land Matter – Plan 9710916 Block 12 Lot 11

**MO2007.172** Yemen, Shoff to revert to regular Council meeting at 7:10 PM. Carried.

15.1 Personnel Matter

**MO2007.173** Sparling, Yemen move that Council approve the Out-of-Scope employee wages and salary ranges for 2007 as presented by the CAO. Carried.

15.2 Land Matter – Plan 9710916 Block 12 Lot 11

**MO2007.174** Bertamini, Shoff that Council agrees the conditions of the offer to purchase dated June 10, 2005 for Plan 9710916 Block 12 Lot 11 have not been met and that the purchaser has forfeited the 10% deposit of the purchase price in the amount of \$2,080.00; and further that the proposal dated August 8, 2007 from Home Town Realty be declined. Carried.

There being no further business the Mayor declared the meeting adjourned at 7:15 PM.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER