

Town of Drumheller

COUNCIL MEETING

MINUTES



April 28, 2008

Council Chamber, Town Hall

703 - 2nd Ave. West, Drumheller, Alberta

PRESENT:

MAYOR:

Bryce Nimmo

COUNCIL:

Andrew Berdahl

Karen Bertamini

Blaine McDonald

Don Guidolin

Sharel Shoff

Terry Yemen

CHIEF ADMINISTRATIVE OFFICER/ENGINEER:

Ray Romanetz

ACTING DIRECTOR OF INFRASTRUCTURE SERVICES:

Steve Huculak

DIRECTOR OF CORPORATE SERVICES:

Michael Roy

DIRECTOR OF COMMUNITY SERVICES:

Paul Salvatore

RECORDING SECRETARY:

Linda Handy

1.0 CALL TO ORDER

Councillor Blaine McDonald was sworn in as Deputy Mayor for the months of May and June, 2008

2.0 MAYOR'S OPENING REMARKS

2.1 Mayor Bryce Nimmo announced "Be a Tourist in Your Own Town" to be held the week of May 5th – 11th.

2.2 Mayor B. Nimmo presented a letter from Hon. Jack Hayden, Minister of Infrastructure presenting the Community Facility Enhancement Program (CFEP) cheque in the amount of \$117,500 to assist with renovations to the Outdoor Pool Aquaplex.

3.0 PUBLIC HEARING

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

Mayor B. Nimmo stated that the purpose of the Public Hearing was to consider Bylaw 09.08 being a bylaw to amend the Land Use Bylaw by designating the area in Lots 11 & 12 Block 3 Plan 5212JK from R2 Residential – R4 Residential (Sharafi)

He asked Secretary, L. Handy if there were any written submissions. Secretary, L. Handy advised there were no items of correspondence.

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

Fredrick Bernhardt stated that he wished to speak against the proposal. He stated that he lives within one block of the proposed development and that the entire area is currently single family detached except for one duplex. He stated that he does not want spot zoning in this area. He stated that if the property in question was one or two blocks closer to the commercial zone it could be considered a transitional zone. He stated that Council has previously rejected requests for spot zoning and he asked that they consider a better use for this property. He stated that if Council chooses to adopt the bylaw, they will set a precedent. He stated that the proposed development will create an intensity of use and Council may be taken to court if they proceed with the reclassification of land. He stated that the Town could have a duplex as it is a permitted use rather than a fourplex. He stated that to completely rezone one property with no contiguous use is spot zoning.

CAO, R. Romanetz advised Council a planning report has been prepared by Palliser Regional Planning Commission for Council's review and it does deal with the question of spot zoning.

Mayor Nimmo asked for questions from Council. There were no questions from Council.

Mayor Nimmo closed the Public Hearing at 4:38 PM.

4.0 ADOPTION OF AGENDA

Addition to the Agenda: 15.2 Land Matter

MO2008.80 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 – April 14, 2008

MO2008.81 Berdahl, Yemen moved the adoption of the minutes of the regular Council meeting of April 14, 2008 as presented. Carried.

5.2 MINUTES OF MEETINGS PRESENTED FOR INFORMATION

5.2.1 Municipal Planning Commission Meeting Minutes – April 10, 2008

5.3 BUSINESS ARISING FROM THE MINUTES

6.0 DELEGATIONS

6.1 Badlands Ambulance Society – Chair Dave Vanderkolk and Secretary Ross Rawlusyk were present to provide an overview of the operations of the Badlands Ambulance Society.

R. Rawlusyk advised that the Society represents seven municipalities: Town of Drumheller, Starland, Kneehill and Wheatland Counties, the Villages of Munson and Morrin and Special Areas. He explained that since receiving notice from the David Thompson Health Authority advising that they would no longer provide ambulance service for these areas and that they would be transferring this responsibility to the local level, the Society has been working towards providing this service effectively.

R. Rawlusyk explained that recently the Society made a decision to upgrade the service levels to an ASL (advanced) from the current basic service level. He stated that the arguments for making this decision have been different for every jurisdiction. He explained that Starland feels that the advanced service provides for a greater degree of expertise in the delivery of health care in the rural areas and that there would be a greater opportunity to attract paramedics to our area through job sharing which employers are now using to attract workers to the rural areas. He further explained that unless you are competitive in the employment field, the rural areas will not attract higher level skilled individuals. He stated that the Board recognizes that Drumheller is paying the greater share of ambulance service but the cost is per capita and each resident is an equal partner in paying the cost. He stated that while Drumheller is generating 87% of the calls, they are also picking up 71% of the costs. R. Rawlusyk stated that Dave Vanderkolk has provided an update on the costs of delivery through the circulation of the financial statements to Council. He further explained that from Starland's perspective the move was good and will make Badlands Ambulance Society a more competitive ambulance provider. He stated that the delivery of ambulance service has been a constant discussion since the inception of the Society. He referred to the Health and Wellness Business Plan 2008-11 Page 165 and read the following statement on their implementation of strategies "Establish standards and provide leadership in integrating emergency medical services with primary health care and ambulance services". He stated that from this statement, it appears the Province may move to integrate ambulance into health care. He explained that with this transition, Starland is concerned that if the Society is operating at a basic level of service, it would be more difficult to convince the Province to migrate to a higher level service if the Society is not in control of it. He stated that it is important to take advantage now and time will tell whether the advanced level of service was a good decision or not. He stated that the Society is fortunate to get ambulance funding in the way of a grant. He stated that the Town receives \$167,000 and Starland receives \$55,000 plus the other municipal membership funding which provides for the delivery of ambulance service. He explained that the cost for providing the service is about \$89.00 per capita. CAO, R. Romanetz

stated that previously this service was delivered at \$0 cost per capita with only the replacement of an ambulance. R. Romanetz stated that he is hopeful that through the AUMA submissions, a June report will provide favourable direction from the Province.

Mayor thanked Ross Rawlusyk and Dave Vanderkolk for their presentation.

6.2 Badlands Sportsplex and Community Centre Steering Committee Report

Tony Lacher, Chair along with other members of the Steering Committee were in attendance to provide the group's actions to date and next steps. He stated that the Steering Committee is a group of concerned citizens that met after the failed plebiscite this past October. He stated that they have considered things that were done very well and also things that could have been done differently such as concepts and priorities of the community as well as the plebiscite question. He stated that the Steering Committee has met with Town Administration and they have offered full access to their resources. He further advised that the Steering Committee has forwarded a letter to Town Council asking for their endorsement of the group. He explained that following public consultations, the group prioritized the needs of the community as follows: Phase 1 – Community Centre (with Wellness Component), Second Arena, Curling Rink, Skate Board Park. He explained that the conceptual plan is similar to the Town's however the second floor addition may be able to house partnerships such as secondary education. He further explained that the second arena could also serve as an alternate venue in summer for Home & Garden Shows, Car Shows, Ag Fairs, etc. He stated that the proposed location is John Anderson Park.

T. Lacher explained that their next steps include the development of an internet site with a comments section for the public to respond. He stated that they have a meeting planned on May 2nd with Hon. Jack Hayden to discuss the previous grants submitted and available grants. He stated that an educational partnership would provide revenue from a long term tenant. Other action items include discussion with Graham Edmunds for the use of their conceptual drawings, Town Council endorsement, presentations to the public, the preparation of another plebiscite question for September / October 2008, expanding committee membership to draw expertise to these committees, and a request to the Town for an initial funding of \$10,000.

Questions and Comments from Council:

Councillor S. Shoff asked the extent of the public consultations. D. Lovsin advised that the Steering Committee represents a cross section of the member from the public who have a vested interest in the community. T. Lacher explained that the \$10,000 Town funding will go towards such expenses as the website costs and communications through the newspaper. He further explained that although public consultations and preliminary planning have been identified as the next steps, the Steering Committee needs the endorsement of Town Council.

Councillor K. Bertamini stated that the preliminary plan appears to be similar to what the Town put forward with the exception of the education component. She stated that the more components to the proposal, the greater the opportunity for grant dollars. T. Lacher explained that the attached conceptual plan is the original Town proposal as it is not materially changing. He stated that the field house is where the community centre would be located and the concept of joining the buildings has not changed. He further stated that the priority for the curling rink was identified as the bigger need as opposed to the field house. He further stated that the Steering Committee did look at alternative land locations however John Anderson is the preferred site based on the infrastructure already in place. Councillor K. Bertamini stated that at their strategic business plan workshop, Council identified the need to do a facilities review which will identify where the gaps are.

Councillor A. Berdahl recommended that the Steering Committee analyse the Town's survey data. Bill Herman (member of Steering Committee) stated that their group represents a cross section of members from the community and there is merit to having the membership. He stated that the Committee has come to the conclusion that the field house is not necessary for Phase 1 and their group has identified other immediate needs. He stated that the Steering Committee has no intention of recreating the wheel. He stated that their position is to get started however they need the support of Town Council. He stated that if their direction is wrong and they should be looking at the field house then this is not the proper committee. T. Lacher explained that the plebiscite was not a good indicator of yes or no with only 30% of the voters responding to the question. He further explained that this is an issue for the Committee. D. Lovsin stated that the Committee understands that the project will move forward through Council. He further stated that Council has to consider that one reason why it was a no vote was the lack of buy in from the public. He stated that from their informal discussion with people, they feel the facility is good for the Valley and their families.

Councillor B. McDonald asked if the Community Centre could include a mixed commercial operation along with public bodies such as the library. T. Lacher stated that these questions will be asked at the meeting with Hon. Jack Hayden.

Mayor B. Nimmo stated that Town Administration will develop terms of reference and hopefully have an agreement on how the Town and Steering Committee can make this work. T. Lacher stated that their group would need to be incorporated as a Society for charitable donations registrations. M. Roy stated that the Town is registered for charitable donations. Mayor Nimmo thanked the Steering Committee members for their work on this Committee and stated that due to the urgency of the matter, the Town would present the Terms of Reference as soon as possible.

7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS

8.0 REQUEST FOR DECISION REPORTS

8.1 CAO

8.1.1 Bylaw 15.07 being a bylaw to close a portion of unused and undeveloped public lanes and then selling and incorporating same with the adjacent lands in Plan 1427JK Block 19 (Golden Hills School Division) – second and third readings

R. Romanetz advised that the lane is located north of the Drumheller Composite High School. He further explained that ATCO Electric has indicated their requirement for an easement to protect the street lighting. He stated that as compensation for this easement for the new force main along 19th Street E, the Town is willing to transfer the lane presently being closed to Golden Hills School Division. Hunter Survey Systems has prepared the easement agreement which has been signed by the three parties agreeing to the exchange. He stated that the Province has approved the closure recognizing the need for the easement. He recommended that Council proceed to second and third reading.

MO2008.82 Berdahl, Guidolin for second reading to Bylaw 15.07. Carried.

MO2008.83 Bertamini, McDonald for third reading to Bylaw 15.07. Carried.

8.1.2 Bylaw 5.08 being a bylaw to close a portion of unused and undeveloped road allowance to public travel and then selling and incorporating same with the adjacent lands in NW ¼ - 28–28-19-W4M (Rosedale District) – second and third readings

R. Romanetz explained that the property is located in Rosedale and is part of a subdivision proposal approved by Council last year. He explained that the intention is to close a portion of the original road allowance, subdivide the old railway bed into four parcels and consolidate these parcels and the closed road allowance with the adjacent lots on the north side of the river. He further noted that the property is isolated and has little or no value to the Town. He advised that the subdivision application is now being circulated and it is timely that both processes be approved together. Following the approvals, the plan will be registered and the property owners will be provided with ownership. R. Romanetz advised that ATCO Electric has indicated that they require an easement. He stated that the Province has approved the closure recognizing the need for the easement. He recommended that Council proceed to second and third reading.

MO2008.84 Shoff, Guidolin for second reading to Bylaw 05.08. Carried.

MO2008.85 McDonald, Yemen for third reading to Bylaw 05.08.

Councillor A. Berdahl asked the location of the land being exchanged. R. Romanetz explained that the land is adjacent to the Cambria bridge and is part of an Area Structure Plan prepared by the owner of the property.

Vote on Motion: Carried.

8.1.3 Bylaw 12.08 being a bylaw of the Town of Drumheller to provide for the regulation of the water works and sewerage systems – first reading

M. Roy advised that further to Council's review of the draft bylaw at their Council Committee meeting of April 28th, he recommended that Council proceed to first reading to allow for the public information process. He stated that the rates are governed by a

separate bylaw.

MO2008.86 Bertamini, McDonald for first reading to Bylaw 12.08 Carried.

8.1.4 Bylaw 13.08 being a bylaw to establish utility rates – first reading

M. Roy advised that Bylaw 13.08 sets the utility rates structure as reviewed with Council in 2008 budget review. The bylaw establishes a \$10.00 flat rate for water and sewer each plus water rate is \$1.0042 per cubic meter (or \$4.5589 per thousand gallons) and sewage volume is calculated at 80% of water consumption at \$1.0512 per cubic meter (or \$4.7725 per thousand gallons).

MO2008.87 Bertamini, Berdahl for first reading 13.08. Carried.

8.1.5 Bylaw 14.08 being a bylaw to enter into an agreement granting ATCO Electric Ltd., the right to provide distribution access services within the Town of Drumheller – first reading

R. Romanetz advised that Council reviewed the steps required for the franchise renewal procedure at their Committee meeting of April 21st. He stated that Bylaw 14.08 grants ATCO Electric the right to provide service in our area for a ten year period. At that time, Council was asked to identify any concerns and since no concerns have come forward, he recommended that Council proceed to first reading.

MO2008.88 Shoff, Guidolin for first reading to Bylaw 14.08. Carried.

8.1.6 RFD – Request for Relaxation of the Noise Bylaw (Relay for Life)

R. Romanetz advised that the Town has received a letter from Merridy Marin, Chair, Relay for Life requesting a relaxation of the Noise Bylaw in order to hold their 12 hour event at the Drumheller Composite High School sports field from June 13th at 7:00 PM to June 14th at 7:00 AM. He advised that last year's event was highly successful and supported very well by the community. He further advised that only one resident in the area expressed their concerns about the noise.

MO2008.89 Yemen, Shoff that Council authorize the CAO to relax the Noise Bylaw 25.98 to allow the 12 hour Relay for Life Event to be held at the Drumheller Composite High School track from Friday, June 13th (7:00 PM) to Saturday, June 14th (7:00 AM).

Discussion on Motion:

Councillor K. Bertamini asked if the Relay for Life organizers can canvass the residential area to the east of the school known as Willow Estates and Garden Oasis either verbally or by leaving a brochure of the event at their door so that they are aware of the all night activities.

Vote on Motion. Carried.

Councillor D. Guidolin left the meeting at 5:36 and returned at 5:38 PM.

8.1.7 2008 Provincial Budget Overview

R. Romanetz provided an overview on the response to the questions sent to the Province by AUMA regarding the 2008 Provincial Budget.

8.2 Acting Director of Infrastructure Services

Councillors Terry Yemen and Blaine McDonald excused themselves from deliberations and voting on Item 8.2.1.

8.2.1 RFD – Valley Bus Society (VBS) Tender Award

S. Huculak stated that the three tenders were received for the purchase of a new handi-bus for the use of VBS. Based on the evaluation of the quotations received it is recommended that the lowest tender for a 18 passenger gas powered bus from Crestline be purchased for the price of \$70,740.91. The 2008 Business Plan approved the purchase of a new bus for with 75% funding to be received from Street Improvement Program and 25% from VSB. Delivery time is 60 -90 days.

MO2008.90 Berdahl, Bertamini that Council award the tender for the supply of one new F450, 18 passenger, gas powered Handi-Bus to Crestline for the tendered base bid sum of \$70,740.91 including GST plus options for a total package price \$76,615.01.

Discussion on Motion:

In response to a question from Council, Councillor A. Berdahl, VBS board representative stated that VBS has taken steps to improve their financial position. He explained that over the past few years, the Society has spent consideration dollars on repairs to their vehicles and this new purchase will help to reduce these costs.

Vote on Motion. Carried.

8.2.2 RFD – Janitorial Contract

S. Huculak advised that Karob Management was not able to provide the Town with copies of the WCB coverage, liability insurance in the amount of \$2 million and an irrevocable letter of credit or performance bond in the amount of two months contract price. As a result the Town had to terminate their contract. He recommended that the contract be awarded to the second lowest tender from Carmel Projects for the tendered price of \$2,630.41 per month (\$31,564.92 per year). He stated that Carmel Projects are a reputable company operating in Drumheller.

MO2008.91 McDonald, Berdahl that Council award Carmel Projects the contract for Janitorial Services at the Civic Centre for 2008/09.

Discussion on Motion:

In response to a question from Council on whether Carmel Projects could meet the

requirements of the contract, S. Huculak confirmed that the contractor stated that they can provide the proper documentation.

Vote on Motion: Carried.

8.3 Director of Corporate Services

8.3.1 RFD (Direction) – Public Message for the New Utility Rates

M. Roy presented a brochure for Council's input regarding the content of the information on the new utility rates. He further advised that Administration is proposing to hold two public open houses on May 13th and May 22nd at 6:00 PM at the Civic Centre. Councillor K. Bertamini asked that the purpose of the utility rate structure be included in the brochure which is to reduce the environmental footprint, be a wiser consumer and for the municipality as a whole to be more responsible.

8.4 Director of Community Services

9.0 PRESENTATION OF QUARTERLY AND ANNUAL REPORTS BY ADMINISTRATION (next presentation July 7, 2008)

9.1 CAO

9.2 Acting Director of Infrastructure Services

9.3 Director of Corporate Services

9.4 Director of Community Services

10.0 PUBLIC HEARING DECISIONS

10.1 Bylaw 09.08 being a bylaw to amend the Land Use Bylaw by designating the area in Lots 11 & 12 Block 3 Plan 5212JK from R2 Residential – R4 Residential (Sharafi) - second and third readings

R. Romanetz advised that Palliser Regional Municipal Services has provided a report on spot zoning. He further noted that MPC has provided a letter indicating that they have recommended that the reclassification move forward to Council with their support.

MO2008.92 Bertamini, Guidolin for second reading to Bylaw 09.08.

Discussion held on Motion:

Council reviewed the permitted and discretionary uses in the R4 zoning (Single Family Dwellings permitted uses and duplexes, family and group care facilities as discretionary uses). R. Romanetz stated that the current zoning R2 includes day care centres under discretionary uses. He stated that the purpose of the R2 is for single family and semi detached; the purpose of the R4 is to provide for multi family residential development. R4 would allow for intermixing of single family and multi family. Councillor K. Bertamini stated that she feels that an intermix of zonings is a good blend for a community. She stated that it does not reduce the value of the single family dwellings. She provided examples of inter-

mixed areas in the community. Councillor T. Yemen stated that he feels spot zoning of the area will set a precedent. R. Romanetz stated that the former day care facility generated a fair amount of traffic. Councillor A. Berdahl stated that he feels the rezoning does not violate the continuity of the neighbourhood and as a member of MPC, he felt that this was their view as well.

Vote on Motion: Carried.

MO2008.93 Bertamini, McDonald to table third reading of Bylaw 09.08 to Council's meeting of May 12, 2008. Carried.

11.0 DELEGATION DECISIONS

12.0 UNFINISHED BUSINESS

13.0 NOTICES OF MOTIONS

14.0 COUNCILLOR REPORTS

15.0 **IN-CAMERA MATTERS MO2008.94** Bertamini, Guidolin to go in camera at 6:19 PM. Carried.

15.1 Land Matter

MO2008.95 Shoff, Yemen to revert to regular Council meeting at 7:11 PM. Carried.

There being no further business the Mayor declared the meeting adjourned at 7:12 PM.

MAYOR

CHIEF ADMINISTRATIVE OFFICER