

Town of Drumheller

COUNCIL MEETING

MINUTES



June 23, 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

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 Sharel Shoff sworn in as Deputy Mayor for the months of July and August, 2008.

2.0 MAYOR'S OPENING REMARKS

2.1 Mayor Bryce Nimmo announced that Drumheller's Relay for Life was a resounding success and he thanked the organizers for a job well job.

2.2 Mayor Bryce Nimmo advised that he attended the Drumheller Miners Hockey Club 1965/66 Induction to Alberta Hockey Hall of Fame Event held in Red Deer on June 14th. He advised that the Hockey Team won the Allan Cup that year under adverse conditions. At that time, there were 18 hockey team players of which 15 attended the induction. He

recognized Jim Fisher for his efforts in organizing the event.

2.3 Mayor Bryce Nimmo advised that a meeting has been arranged on July 8th with government representatives regarding the development of a Regional Economic Development Association. He further advised that Chairman Jay Slempe, Special Areas and Mayor Annon Hovde, Village of Linden have agreed to attend the meeting as well. He stated that following the meeting, Council will further discuss the benefits of forming a REDA Association.

2.4 Mayor Bryce Nimmo presented the Council Meeting Summer Calendar. He recommended that Council Meetings be held on July 7th and August 5th with the meetings scheduled for July 21st and August 18th to be cancelled. He further stated that Council will resume their regular Council meeting schedule on September 2nd. He further advised that Council Committee of the Whole meetings will be scheduled as required.

MO2008.128 Bertamini, Shoff to cancel the Council Meetings scheduled for July 21st and August 18th. Carried.

3.0 PUBLIC HEARING

4.0 ADOPTION OF AGENDA

Additions to the Agenda: 14.1 Councillor S. Shoff - Communities in Bloom; 14.2 Councillor S. Shoff – Drumheller Public Library. Deletions: 8.2.1 RFD - Tender Award for 2008 Street Improvement Program

MO2008.129 Shoff, McDonald 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 – June 9, 2008

MO2008.130 McDonald, Berdahl moved the adoption of the regular Council meeting minutes of June 9, 2008 as presented. Carried.

5.2 MINUTES OF MEETINGS PRESENTED FOR INFORMATION

5.2.1 Municipal Planning Commission – May 22, 2008

5.3 BUSINESS ARISING FROM THE MINUTES

6.0 DELEGATIONS

6.1 Ingrid Thornton, Drumheller's representative to Marigold Library System reviewed the proposed amendments to the Marigold Agreement. She advised that a change or amendment to the Agreement requires written notification of approval from 60% of the parties to the Agreement representing 60% of the population within the boundaries of Marigold. She stated that the majority of the amendments are changes required under the new Library Act. She stated that the most significant amendment involves Clause 39 which was changed because Banff withdrew their membership from Marigold resulting in their request for a settlement of the assets. She explained that the agreement has been

amended to ensure this action does not happen again. Councillor K. Bertamini asked for a copy of the previous agreement prior to the amendments. Administration was not able to locate a copy of the previous agreement. Ingrid advised that the Drumheller Library Board were unanimously in favour of the amendments to the Agreement. She further advised that Schedule C reflects no changes to the levy for the member municipalities. Mayor thanked Ingrid for her presentation. Council asked Administration to provide them with a copy of the previous agreement.

7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS

8.0 REQUEST FOR DECISION REPORTS

8.1 CAO

8.1.1 RFD – Marigold Library Systems Shedule C

CAO R. Romanetz presented Marigold Library Systems Schedule C for Council's approval. He stated that the Drumheller Library board accepted the amendments however if Council wishes to review the changes in more detail, there is still time to adopt the changes within their specified approval timeline of July 31st. Council tabled Item 8.1.1 to the next Council meeting to be held on July 7th, 2008.

8.1.2 Request to pave Beech Street between Grove Avenue and Larch Avenue - Ray Dumaine

R. Romanetz advised that the Town has received a request to pave the above noted street. He asked S. Huculak, Acting Director of Infrastructure Services to provide his findings on the request. S. Huculak presented an aerial map of the street. He advised that Beech Street is a gravelled roadway and at times upgraded with gravel chips and dust control. He advised that if the roadway is paved only the users benefiting from the improvements would pay the entire cost. He referenced 9th Street NW which is another example of a roadway not paved and one that would have to go through a local improvement. He explained that a local improvement would require 51% of the affected residents in favour of the upgrade. He stated that Administration feels that by installing appropriate signage, Mr. Dumaine's concern regarding increased vehicle traffic will be reduced. S. Huculak indicated the areas where directional signage would be posted. He stated that the misdirected traffic results from tourists trying to access the campground. In conjunction with that, he recommended that Beech Street be posted with local traffic only signage at each end of that roadway to deter the traffic from using this roadway. Council agreed to carry out the signage and install gravel chips and dust control and reassess the situation at year end. Council requested that a letter be forwarded to the affected residents advising of Council's direction.

8.1.3 Planning Report regarding proposed reclassification Bylaw 16-08

R. Romanetz advised that further to Council's questions on the proposed reclassification of the former daycare property to an R4 zoning, Brad Wiebe, Planner – Palliser Regional

Municipal Services has provided a report for clarification on secondary suites and spot zoning. In his report, B. Wiebe advised the under the Land Use Bylaw, the definition of secondary suites means "*an accessory dwelling unit that is located on the same parcel as a single detached dwelling which meets the requirements of Part VII Section 46...*". He further advised that secondary suites would not apply in this situation because the regulations require that a secondary suite would need to be within a single detached dwelling (not multiple unit), and to be owner occupied. R. Romanetz advised that the provincial legislation allows for secondary suites in any type of residential zoning however the way the legislation is structured Council would have to provide direction to amend the Town's Land Use Bylaw. With regards to spot zoning, B. Wiebe explained that the existing building is located on two 57.5 ft width lots and if there were no building on this parcel, the property owner would be permitted under the R2 zoning to build two semi detached units (a total of 4 units). This proposal would not increase the permitted density within the current R2 land use district due to the large parcel size of the existing site.

8.1.4 RFD – Application to Serve on Library Board

R. Romanetz advised that the Drumheller Public Library Board has a vacancy on their board. Ann Howells would like to serve on the board and the Library board members have recommended approval.

MO2008.131 Shoff, Guidolin that Council approve the appointment of Ann Howells to the Drumheller Public Library Board for a first three year term. Carried.

8.2 Acting Director of Infrastructure Services

8.3 Director of Corporate Services

8.3.1 RFD – Energy Aggregation Program

M. Roy advised that he along with CAO R. Romanetz attended a session hosted by AMSC for the 2009+ Energy Aggregation Program. He advised that the current contract for the Town's large sites expiring on December 31, 2008, Administration is beginning the process of evaluating available options for the Town's energy requirements. He further advised that in order to evaluate the AMSC / Nexen option the Town will need to sign a confidentiality agreement. This does not commit the Town to the AMSC Energy Aggregation Program.

MO2008.132 Bertamini Berdahl that Council authorizes the Chief Administrative Officer to sign the confidentiality agreement to enable Administration to evaluate the AMSC Energy Aggregation Program. Carried.

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

11.0 DELEGATION DECISIONS

12.0 UNFINISHED BUSINESS

13.0 NOTICES OF MOTIONS by Councillor Bertamini for the rescinding of Second Reading to Bylaw 16.08 being a bylaw to amend the Land Use Bylaw No. 10.08 by redesignating the area in Lots 11 & 12 of Block 3 in Plan 5212 JD (210 9th Avenue SE) in Drumheller. R. Romanetz advised that the motion would require 2/3 of the majority of Council to pass and would allow for further discussion on the matter.

MO2008.133 Bertamini, Guidolin moved to rescind for the second reading to Bylaw 16.07. Carried.

MO2008.134 Bertamini, Guidolin for second reading to Bylaw 16.08.

Discussion on Motion:

Councillor K. Bertamini advised that at Council's Meeting of June 9th, Council wanted clarification on secondary suites and this information has now been provided. She further advised that the redesignation of property to allow for a fourplex would not intensify the use. She stated that she is in favour of mix zoning within a residential district. She further stated that any higher density proposal would be addressed by the Municipal Planning Commission at the development stage. She referred to the Planning Report and stated that the size of the lot could provide for two duplexes and as such would not add any density to the property.

Councillor S. Shoff advised that the current residents purchased their properties with the understanding that it was an R2 zoning and that the property in question is a single dwelling. She further stated that the residents have presented a petition against the rezoning and they do not want a high density housing development within their area. She advised that she is not in favour of spot zoning.

Councillor A. Berdahl stated that although spot zoning is not generally promoted, the reasons are not written in stone. He stated that there are exceptions and all concerns would be addressed through development application process. He stated that the concerns of the residents who live adjacent to the property need to be addressed such as parking. He stated that the Town needs to ensure that provisions are in place.

Councillor B. McDonald advised that the proposed development is for a fourplex now but in the future a higher density building could be built.

Councillor K. Bertamini asked if a restrictive caveat could be registered against the property to ensure that no higher density building could be built other than a fourplex. R. Romanetz

advised that he would have to research the matter with the Town Solicitor.

Vote on Motion: Carried.

14.0 COUNCILLOR REPORTS

14.1 Councillor S. Shoff presented the Drumheller Library Report from their meeting held last week. She announced that the grand opening of the front desk will be celebrated on July 5th. She stated that their Business and Service Plan will be presented in the fall.

14.2 Councillor S. Shoff advised that the Communities in Bloom will be judging Drumheller on July 22nd. She encouraged the residents to spruce up their yards for this day. She advised that a public garden will be planted on Newcastle Trail (public information to be published shortly).

15.0 IN-CAMERA MATTERS MO2008.135 Shoff, Bertamini to go in camera at 5:35 PM. Carried.

15.1 Personnel Matter

15.2 Land Matter

MO2007.136 Shoff, Guidolin to revert to regular Council meeting at 6:25 PM. Carried.

15.1 Personnel Matter

MO2007.137 Bertamini, McDonald move that Council approve the 2008 Out-of-Scope employees' wages and salary ranges as amended and as presented by the CAO in the report dated June 20th, 2008. Carried.

15.2 Land Matter – Hillsvieview Phase 3

MO2007.138 Berdahl, Shoff that the Town amend the agreement made on April 3rd, 2006 between the Town of Drumheller and Stevenson Development Corporation for the Hillsvieview Estates Subdivision Phase Three in accordance with the Email from Stevenson Development Corporation dated June 23, 2008. Carried.

There being no further business the Mayor declared the meeting adjourned at 6:27 PM.

MAYOR

CHIEF ADMINISTRATIVE OFFICER