

Town of Drumheller

COUNCIL MEETING

MINUTES



March 16, 2009 4:30 PM Council Chambers, Town Hall
703 - 2nd Ave. West, Drumheller, Alberta

PRESENT:

MAYOR:

Bryce Nimmo

COUNCIL:

Karen Bertamini

Don Guidolin

Blaine McDonald

Sharel Shoff

Terry Yemen

CHIEF ADMINISTRATIVE OFFICER/ENGINEER:

Ray Romanetz

DIRECTOR OF CORPORATE SERVICES:

Michael Roy

DIRECTOR OF COMMUNITY SERVICES:

Paul Salvatore

RECORDING SECRETARY:

Linda Handy

ABSENT: DIRECTOR OF INFRASTRUCTURE SERVICES: Allan Kendrick

1.0 CALL TO ORDER

2.0 MAYOR'S OPENING REMARKS

3.0 PUBLIC HEARING

Mayor called the public hearing to order at 4:32 PM.

Mayor Bryce Nimmo stated that the purpose of the public hearing is to consider Bylaw 6.09 being a bylaw to amend the Land Use Bylaw 10.08 – Changes to wording Definitions / Accessory Buildings and Uses / Structures / Benches / Various Signs

Mayor Nimmo asked Brad Wiebe, Planner – Palliser Regional Municipal Services to provide his planning report. B. Wiebe stated that there are a bundle of amendments which address several issues brought forward over the last year of a housekeeping nature and or policy issue where changes to wording is necessary and for increased clarification. He further stated that the definitions are now more consistent with acts and regulations and the other changes provide for more consistency within the Land Use Bylaw.

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

Mayor Nimmo asked if anyone was present to speak in favour or against the proposal. There were no speakers present.

Mayor called for questions from Council.

Councillor K. Bertamini asked for clarification for the deletion of schools within the residential districts. B. Wiebe explained that schools were inconsistently listed within the Land Use Bylaw and they are now listed within “P” – Community Service District as a discretionary use (which may be in a residential area). He further explained that the definitions for education facility/schools has been broaden to include private, public and an unconventional education facility (which could be post secondary or an outreach school). He stated that the unconventional education facility could fit within the downtown core and has been added to the DT – Downtown Transition District and CB – Central Commercial District as a discretionary use. Councillor B. McDonald asked for clarification on the several definitions used to describe dwellings. B. Wiebe explained that Administration looked at different residential districts and looked at what clarified the difference in Land Use Classifications. The main point to consider with dwellings is that the higher the residential district (R-1, R-1a, R-2, R-3 and R-4), the higher the density allowed. He further explained that the focus is now on density rather than the requirements for the dwelling, i.e. former day care building which required separate accesses.

Mayor Nimmo closed the Public Hearing at 4:42 PM.

4.0 ADOPTION OF AGENDA

MO2009.57 Shoff, McDonald moved the adoption of the agenda as presented. Carried.

5.0 MINUTES

5.1 ADOPTION OF REGULAR COUNCIL MEETING MINUTES

5.1.1 Council Regular Meeting – March 2, 2009

MO2009.58 Yemen, Bertamini moved the adoption of the regular Council meeting minutes of March 2, 2009 as presented. Carried.

5.1.2 Council Special Meeting – March 9, 2009

MO2009.59 Shoff, Guidolin moved the adoption of the Special Council meeting minutes of March 9, 2009 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 07.09 being a bylaw to establish utility rates

R. Romanetz advised that several discussions have been held with Council regarding a new rate structure for the full cost recovery of utilities. He further advised that the key considerations dealt with the deficit that occurred in 2008 and the requirement from the Province that municipalities move towards a rate structure that is based on full cost accounting. He asked M. Roy, Director of Corporate Services to speak to the new utility rate bylaw. M. Roy stated that Bylaw 07.09 replaces Bylaw 13.08 which reflects the increases to water and sewer rates as follows: water rate per cubic metre from \$1.01 per cubic metre to \$1.50 per cubic metre and the sewer rate from \$1.05 to \$1.37 with a sewer rate rider for 2008 of \$0.1001 per cubic metre. R. Romanetz advised that the reason for the 2008 deficit is that the consumptions were down significantly from estimates based on the wet summer and the public used less water either due to the change in the rate structure or for conservation purposes. R. Romanetz explained that one campground operator indicated that the 80% of wastewater is well beyond the amount of return through the sewer system and for the purpose of consistency, the 80% amount was agreed to for all users. He further explained that he promised the owner involved that he would raise this issue with Council. Councillor K. Bertamini stated that Council can amend the bylaw at any time and Council should proceed with the new rate structure as outlined in the bylaw.

MO2009.60 McDonald, Berdahl for first reading to Bylaw 07.09. Carried.

MO2009.61 Guidolin, Shoff for second reading to Bylaw 07.09. Carried.

MO2009.62 Bertamini, Berdahl no objection to third reading of Bylaw 07.09. Carried.

MO2009.62 Guidolin, Shoff for third reading to Bylaw 07.09.

Councillor S. Shoff asked when the new rates will take effect. M. Roy stated that the new rates are retroactive to March 1st. Councillor A. Berdahl referred to the letter from the campground owner and stated that his concern should be revisited. Councillor K. Bertamini stated that the matter could be discussed at the next Committee meeting. Council agreed.

Vote on Motion: Carried.

8.1.2 RFD – Wastewater Treatment Plant Tender Award

R. Romanetz stated that as a result of the high tender costs in May of 2008, the project was repackaged so that it could be awarded individually or in its entirety in an attempt to attract more competitive bids. He explained that the smaller components consisting of the forcemain and 19th Street lift station upgrade has been awarded and is currently under construction. He stated that Administration has been working closely with the consultants on the largest component of the upgrade which remains to be awarded and a summary is provided for Council's consideration. He stated that after reviewing the seven tenders received, our Consulting Engineers and Administration are confident that a competitive process had taken place with the close results of all the tenders. He further explained that since the tender process closed, Administration has reviewed numerous options with the consultant in an attempt to arrive at further cost reductions. He stated that with changes to the digester and blower design to reflect more realistic growth projections and also to include new sonar technology into the design while still maintaining the 20 year design requirement, there would be an approximate capital cost savings of \$810,000 and a power cost reduction of \$1.4M over 20 years. He further explained that actual growth for the Town of Drumheller are at $\frac{3}{4}$ percent per year and the digester and blower were designed for a 3% population growth. The equipment revision will also reduce energy costs. He further explained that discussions were held to remove other components from the design such as one of the secondary clarifiers and the sludge dewatering system. However the elimination of these components changes the scope of the project which jeopardizes the Town's grant approval through CAMRIF. R. Romanetz presented a listing of the overall project cost and funding summary. He stated that the municipal shortfall is \$3.1M and it is hopeful that additional grant funding will be approved from Alberta Municipal Infrastructure Program (AMIP) and New Deal for Communities Program. R. Romanetz stated the new plant will ensure compliance with Provincial approval requirements. Administration recommends that Council award the revised tender to the lowest bidder, Graham Construction.

MO2009.63 Bertamini, Yemen that Council award the project to Graham Construction with a revised tender amount of \$16,302,247.50 including GST (Tender price less \$810,000 plus GST), subject to Alberta Transportation approval under the AWWWP.

Discussion on Motion:

Councillor B. McDonald asked if repackaging of the tender was an alternative. R. Romanetz advised that Administration has reviewed the tender with the consultants in detail and the project has already been broken into smaller components. He further stated that the small difference between bids indicates a competitive bid and time is of the essence. Councillor B. McDonald referred to the funding summary addendum and for clarification on the two AMIF grant applications. R. Romanetz stated that the first AMIF shown on the funding

summary has been approved by the Province, however the second AMIF funding source needs to be submitted to the Province for approval. The AMIF grant funding is paid by the Province over five years (2005-2009), but can be used over a 10 year period by the Municipality. Councillor A. Berdahl asked if the financial advantage to downsize to a smaller digester will be sufficient. R. Romanetz advised that the flows as outlined in the 2004 Master Plan predicts a growth scenario of 3%, however the Town's flows have not changed since 2004. R. Romanetz stated that using the lesser growth rate (1.5%) is more in line with actual growth rates in the Community. Also implementation of a pilot project using sonar technology will help break down the sludge at a faster rate and will further extend the 20 year design of the digester. He further explained that these factors will result in a number of cost savings - priced out to get the net savings of \$810,000 in capital costs and significant energy costs reduction \$1.4m).

Vote on Motion: Carried.

8.2 Director of Infrastructure Services

8.3 Director of Corporate Services

8.3.1 RFD – Award Request for Proposal for the Town Page

M. Roy stated that as of late this afternoon, the Valley Times has withdrawn their proposal. He recommended that Council proceed to awarding the ½ page ad to the Drumheller Mail for a three year term.

MO2009.64 Bertamini, Berdahl moved that Council direct Administration to enter into a contract for advertising with the Drumheller Mail for a 3 year term, with half-page ad at \$29,640 cost per year.

Councillor B. McDonald asked the reason for Valley Times withdrawing their proposal. M. Roy stated that Valley Times asked that the reason remain confidential at this time.

MO2009.65 McDonald, Berdahl to move into camera at 5:10 PM. Carried.

MO2009.66 McDonald, Berdahl to move back to regular Council meeting at 5:13 PM. Carried.

Councillor S. Shoff stated for the record that she has no conflict of interest on this matter. She asked that Council consider the award for a one year term as the three year term would take the term of the contract into a newly elected Council. Councillor K. Bertamini stated that normally under the contract, either party has 30 or 90 days to withdraw. R. Romanetz clarified that at the request of Council, the Town has the right to give notice to withdraw within 30 days (the newspaper may terminate within 90 days written notice).

Vote on Motion: Carried.

8.3.2 RFD – Reserve Transfers

M. Roy advised that the projected accumulated surplus for the year ended December 31, 2008 is \$2,057,264. He further stated that on review of the Legacy Building Reserve, it was noted that funds that should have been transferred into this reserve were not completed. In addition, at the Committee of the Whole meeting of March 9, 2009, Council indicated that the 2008 revenue shortfall for the water operations of \$670,886 should be funded from the Accumulated Surplus instead of implementing a water rate rider to cover this shortfall.

MO2009.67 Bertamini McDonald that Council authorizes Administration to transfer \$1,270,886 from Accumulated Surplus and place \$600,000 into the Legacy Building Reserve and \$670,886 into the Water Reserve to cover the 2008 water deficit. Carried.

8.3.3 RFD - Software Meeting Management and Laptops

M. Roy advised that as part of the Strategic Business Plan to become more e-government compatible, Administration reviewed two demos for meeting management software in December 2008: ICompass Technologies out of British Columbia and Questys Solutions out of California. Administration's preference is ICompass as it has components such as agenda tracking, request for information and a search database, not available with the other supplier.

It was noted that the storage included 2GB however there is the capability to purchase additional space at \$150.00 per year for each additional 1GB.

MO2009.68 Yemen, Shoff that Council authorizes Administration to proceed with the implementation of the ICompass Technologies Civic Web solution.

Discussion on Motion:

Councillor B. McDonald asked for clarification on the annual operating costs. M. Roy stated that the annual cost for 2010 and 2011 is \$6,050 with inflationary costs included for each year thereafter. Councillor S. Shoff asked the timeframe for implementation. M. Roy stated that training should commence within the next quarter.

Vote on Motion: Carried.

8.3.4 Update on Ambulance Transition

M. Roy advised that the Society met on Friday, March 13th and agreed to enter into a contract arrangement with the Province to provide ambulance service in our region. Councillor D. Guidolin stated it is a two year contract commencing April 1st, 2009 with no cost to the Town at this time. He further stated that the same level of service will continue as well as the transition to ALS service. M. Roy stated that there are no major changes to the cost, there is an opportunity to recover new costs from the Province. Councillor K. Bertamini asked if a dispute resolution clause and the ownership of assets has been addressed. M. Roy explained that it is an operational contract and assets remain with the Society. Councillor Guidolin explained that the Society will approach the Province for the

purchase of an additional ambulance as the Society's newest ambulance is seven years old and the Provincial standards is to have at least one ambulance that is less than five years used.

8.4 Director of Community Services

9.0 PRESENTATION OF QUARTERLY AND ANNUAL REPORTS BY ADMINISTRATION (April 27, 2009)

9.2 CAO

9.3 Director of Infrastructure Services

9.4 Director of Corporate Services

9.5 Director of Community Services

10.0 PUBLIC HEARING DECISIONS

Bylaw 6.09 being a bylaw to amend the Land Use Bylaw 10.08 – Changes to wording Definitions / Accessory Buildings and Uses / Structures / Benches / Various Signs – second and third reading

MO2009.69 Shoff, Yemen for second reading to Bylaw 6.09. Carried.

MO2009.70 Guidolin, Berdahl for third reading to Bylaw 6.09. Carried.

11.0 DELEGATION DECISIONS

12.0 UNFINISHED BUSINESS

13.0 NOTICES OF MOTIONS

14.0 COUNCILLOR REPORTS

15.0 IN-CAMERA MATTERS MO2009.71 Bertamini, Yemen to go in camera at 5:34 PM. Carried.

15.1 Land Matter

MO2009.72 Bertamini, McDonald to revert to regular Council meeting at 6:24 PM. Carried.

There being no further business the Mayor declared the meeting adjourned at 6:25 PM.

MAYOR

CHIEF ADMINISTRATIVE OFFICER