

# **Town of Drumheller COUNCIL MEETING MINUTES**

July 6, 2009 at 4:30 PM

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 Yeman

CHIEF ADMINISTRATIVE OFFICER/ENGINEER:

Ray Romanetz

DIRECTOR OF INFRASTRUCTURE SERVICE

Allen Kendrick

DIRECTOR OF COMMUNITY SERVICES:

Paul Salvatore

RECORDING SECRETARY:

Linda Handy

**ABSENT:** Michael Roy, DIRECTOR OF CORPORATE SERVICES:

## **1.0 CALL TO ORDER**

- 1.1 Councillor S. Shoff was sworn in as Deputy Mayor for the months of July and August, 2009

## **2.0 MAYOR'S OPENING REMARK**

- 2.1 Mayor Nimmo presented a letter from Hon. Ray Danyluk, Minister of Municipal Affairs announcing approval of the 2009/10 unconditional municipal grant in the amount of \$23,960
- 2.2 Mayor Nimmo presented a letter from Hon. Jack Hayden, MLA, Drumheller-Stettler announcing grant approval under the Community Initiatives Program in the amount of \$75,000 to assist with the Huntington Community Group,

Playground and Multisurface Project.

- 2.3 Mayor Nimmo presented a letter from Hon. Ray Danyluk, Minister of Municipal Affairs announcing the Town's project profile submissions under the 2009 conditional operating funding component of the Municipal Sustainability Initiative (MSI) have been approved as follows: Computerized Meeting Process - \$31,000; Aquaplex Operations - \$175,784; Civic Centre Operations - \$75,200; and Library Operations - \$19,680.

### **3.0 PUBLIC HEARING**

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

He stated that the purpose of the public hearing is to consider Bylaw 15.09 to close a portion of an undeveloped public lane and roadway (part of 10th Avenue SW) to public travel and acquiring title to this land and selling and incorporating same with the adjacent lands.

Mayor asked if there were any items of correspondence. R. Romanetz stated that of the three utility companies contacted for their approval, Telus has responded with no concerns. L. Handy advised there were no further items of correspondence.

Mayor asked if there was anyone in attendance who wished to speak in favor or against the closure. There were no speakers in attendance.

Mayor asked Council if there were any questions. Councillor K. Bertamini asked the length of the lane. R. Romanetz advised that the length of the lane was approved by Palliser Regional Municipal Services as the Town's subdivision approving authority.

Mayor closed the public hearing at 4:40 PM.

### **4.0 ADOPTION OF AGENDA**

**MO2009.155** Shoff, Yemen moved to adopt the agenda as presented. Carried unanimously.

### **5.0 MINUTES**

#### **5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES**

- 5.1.1 Council Regular Meeting - June 22, 2009

**MO2009.156** Bertamini, McDonald moved to adopt the regular Council meeting minutes of June 22, 2009 as presented. Carried unanimously.

#### **5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION**

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

## **6.0 DELEGATIONS**

### **6.1 Believe Fest - Gerald Martynes**

G. Martynes provided an overview of the Believe Fest held last year at the Canadian Badlands Passion Play Site. He stated that there were no incidences or complaints from adjacent residents. He stated that the Believe Fest will be held at the same location on August 15th. He stated that they expect the attendance to be 1200. He requested a relaxation to the Noise Bylaw from noon on that date to 1:00 AM on August 16th. He stated that he intends to canvas the neighbors and advise them of the event. He also requested to place a banner along the Nazarene Church fence advertising the event. Mayor and Council thanked Gerald for his presentation and wished him a successful event.

### **6.2 Olympic Torch Committee - John Sparling**

J. Sparling, Committee Chair provided an overview of the planning steps taken to date to host the Olympic Torch Run to be held on January 16th, 2010. He reviewed the membership on the Committee as follows: Mayor Bryce Nimmo (Co-Chair), Ray Telford, Mike Hanley, Linda Traquair, Luigi Vescarelli, Jay Garbutt, Doug Wade, Andy Newman, Ron Zuke, Sue Backs and Elaine Piwin. He advised that the Committee recommends that the attendance be limited to a maximum of 2,000 and that they would determine a fair method for distribution of tickets. He advised that there are three torch bearer submissions for Drumheller and RBC has not made their selection as of yet. He stated that the Committee will be announcing the volunteer process shortly. Mayor and Council thanked John for his presentation and wished him a successful event.

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

## **8.0 REQUEST FOR DECISION REPORTS**

### **8.1. CAO**

#### **8.1.1 Bylaw 17.09 Short Term Borrowing for Badlands Community Facility - 3rd reading**

**MO2009.157** Bertamini, McDonald for third reading of Bylaw 17.09.

Discussion on Motion:

Councillor T. Yemen advised that the borrowing statements as posted on the Town's website are not being lived up to. Councillor K. Bertamini stated that when the Town originally set up a fundraising plan, the economy was in a better position. She further stated that the bylaw covers those dollars where businesses wish to contribute over a period of years.

Vote on Motion:

In favor - McDonald, Bertamini, Nimmo, Berdahl, Guidolin

Against - Shoff, Yemen

Carried.

8.1.2 RFD - 878947 Alberta Ltd.

R. Romanetz advised that the Town of Drumheller and Communities Future wish to continue operations of the Revitalization Corporation. He stated that the purpose of the Corporation is for the redevelopment of aging buildings or the purchase of property in the downtown core. A Ministerial Order was received for the creation of the Corporation on November 6, 2000 and an annual shareholders meeting was held for the purpose of selecting directors and co-managers to run the company. There has been a lapse in holding an annual meeting since 2005. In accordance with the Corporation bylaw, there is a requirement for an election of directors as follows: 2 from the Town and 2 from Communities Futures. It is recommended that Mayor Bryce Nimmo and Councillor Andrew Berdahl be appointed as Directors to the Revitalization Corporation with Ray Romanetz and Wayne Hove to act as Co-Managers. The Town of Drumheller has a 51% controlling interest in the Corporation. Communities Future can take an equity position as opposed to just offering loans.

**MO2009.158** Bertamini, Guidolin hat Council approve the appointments of two Councillors to 878947 Alberta Ltd. Carried unanimously.

8.1.3 RFD - Relaxation to Noise Bylaw for Believe Fest

R. Romanetz recommended that the Noise Bylaw be relaxed to allow for the 2009 Believe Fest to be held on August 15th. He further noted that he will review G. Martynes' request for a banner to be placed on the Nazarene Church fence and provide a response to him.

**MO2009.159** Berdahl, McDonald that Council authorize the CAO to relax the Noise Bylaw 25.98 to allow the Believe Festival 2009 to be held at the Canadian Badlands Passion Play site from Saturday, August 15th (11:30 AM) to Sunday, August 16th (1:00 AM). Carried unanimously.

8.1.4 Letter from John Gearhart, East Coulee regarding Clean Up Order

R. Romanetz presented a letter from J. Gearhart in response to a clean up order issued by the Development Officer on June 24th, 2009. He advised that a fire occurred on the property on February 10, 2009 and that the Town feels that an appropriate amount of time has passed since the fire occurred. He further advised that the Order was issued pursuant to Section 546 of the Municipal Government Act for the removal of all debris, garbage and derelict vehicles from the property and to demolish the structure and dispose of the materials in an appropriate manner. He further noted that a second Order was issued under 645 of the Municipal Government Act for non compliance to the Town of Drumheller's Land Use Bylaw Section 6 for removal of the portable accessory building and the recreational vehicle from the property. R. Romanetz advised that Mr. Gearhart has appealed the second Order dated June 24th, 2009 to the Subdivision and Development Appeal Board Secretary and a hearing date is being arranged. He further advised that Mr. Gearhart's letter to Council requests a review of the first Order issued

under 546 of the MGA. Council agreed to table the matter pending a decision by the SDAB.

## **8.2. Director of Infrastructure Services**

### **8.2.1 RFD - Award of 2009 Cast Iron Watermain Replacement**

A. Kendrick advised that tenders for the 2009 Watermain Replacement Program closed on June 25, 2009 at 2:00 PM. Three tenders were received with the low bidder was Muzechka Holding Ltd. with a tender amount of \$679,192.50 including GST. The engineering estimate for this project was approximately \$898,028.25.

**MO2009.160** Shoff, Berdahl awarded the low tender bid to Muzechka Holdings Ltd. in the amount of \$679,192.50 including GST.

Discussion on Motion:

In response to a concern from Council that the company was partnering with a USA based company, Murphy Pipelines Contractors Inc., for the project, A. Kendrick advised that the tender award recommendation letter from MPE advises that both companies are capable of supporting the project and carrying it to a successful conclusion.

Vote on Motion: Carried unanimously.

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

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

## **9.0 PRESENTATION OF QUARTELY REPORTS BY ADMINISTRATION**

## **10.0 PUBLIC HEARING DECISIONS**

## **11.0 UNFINISHED BUSINESS**

## **12.0 NOTICES OF MOTIONS**

## **13.0 COUNCILLOR REPORTS**

## **14.0 IN-CAMERA MATTERS**

**MO2009.161** Guidolin, McDonald to go in camera at 5:30 PM. Carried unanimously.

### **14.1 Fundraising Agreement**

### **14.2 Land Matter**

**MO2009.162** Berdahl, McDonald to revert to regular Council meeting at 6:15 PM. Carried unanimously.

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There being no further business, the Mayor declared the meeting adjourned at 6:15 PM.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER