

Town of Drumheller COUNCIL MEETING MINUTES

June 7, 2010 at 12:00 AM
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

DIRECTOR OF INFRASTRUCTURE SERVICES:

Allan Kendrick

DIRECTOR OF CORPORATE SERVICES:

Michael Roy

DIRECTOR OF COMMUNITY SERVICES:

Paul Salvatore

RECORDING SECRETARY:

Linda Handy

1.0 CALL TO ORDER

2.0 MAYOR'S OPENING REMARK

Mayor B. Nimmo presented the summer Council meeting schedule. He stated that the Council Committee Meetings will be cancelled at the call of the Mayor.

MO2010.113 Berdahl, McDonald moved to cancel the July 5th, 2010 and August 3rd, 2010 Council Meetings. Carried unanimously.

2.1 FCM Report

Mayor B. Nimmo advised that he along with the CAO attended the FCM Conference held in Toronto, ON from May 27 - May 30. He advised that key note speakers included Prime Minister Steven Harper and former Prime Minister Paul Martin.

3.0 PUBLIC HEARING

4.0 ADOPTION OF AGENDA

MO2010.114 Shoff, Yemen moved to approve the agenda as presented. Carried unanimously.

5.0 MINUTES

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

5.1.1 Regular Council Meeting Minutes of May 25, 2010

MO2010.115 Yemen, Shoff moved to approve the regular Council meeting minutes of May 25th, 2010 as presented. Carried unanimously.

5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

5.2.1 Municipal Planning Commission Minutes of April 22, 2010

5.2.2 Municipal Planning Commission Minutes of May 13, 2010

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 06.10 (Road Closure Bylaw) 2nd and 3rd Readings

R. Romanetz presented Bylaw 06.10 being a road closure bylaw to close a portion of undeveloped road in Nacmine with the intent of selling the property to the adjacent landowner. He advised that the Bylaw has been approved by the Minister of Transportation and he recommended that Council proceed to second and third reading.

MO2010.116 Bertamini, Guidolin moved second reading of Bylaw 06.10.

Discussion on Motion:

Councillor A. Berdahl asked if a policy was in place to handle a situation where both parties expressed an interest in the property. R. Romanetz advised that the fairest way would be to sell an equal share to both adjacent property owners. He explained that in this situation, notice of the closure was given to the other adjacent property owner who expressed no interest in the property. He explained that an

appraisal will be carried out to ensure that the property is sold at a price that reflects market value.

5 in favour McDonald, Yemen, Nimmo, Shoff, Berdahl, Guidolin
1 opposed Bertamini
Carried.

MO2010.117 Guidolin, McDonald moved third reading of Bylaw 06.10.

Councillor A. Berdahl asked Councillor K. Bertamini if she would state her reason for opposition on the matter. Councillor K. Bertamini stated that all property for sale should be publicly tendered.

5 in favour McDonald, Yemen, Nimmo, Shoff, Berdahl, Guidolin
1 opposed Bertamini
Carried.

8.1.2 Bylaw 14.10 Supplementary Assessment

R. Romanetz presented Bylaw 14.10 being a bylaw to authorize the supplementary assessment for improvements. He asked M. Roy, Director of Corporate Services to speak to the bylaw. M. Roy advised that the bylaw is an annual requirement under Section 313 of the Municipal Government Act with a deadline of May 1st. He further advised that the Town has requested an extension and the bylaw will not be enforced until the extension has been granted by the Minister. He explained that the supplementary assessment raises \$30,000 of additional taxes.

MO2010.118 Shoff, Guidolin moved first reading of Bylaw 14.10. Carried unanimously.

MO2010.119 Bertamini, Yemen moved second reading of Bylaw 14.10. Carried unanimously.

MO2010.120 Bertamini, Berdahl moved no objection to third reading of Bylaw 14.10. Carried unanimously.

MO2010.121 Guidolin, McDonald moved third reading of Bylaw 14.10. Carried unanimously.

8.1.3 Bylaw 15.10 Business Tax Rate

R. Romanetz presented Bylaw 15.10 being a bylaw to establish the business tax rate. He asked M. Roy, Director of Corporate Services to speak to the bylaw. He advised that Bylaw 15.10 is an annual requirement under Section 377(1) of the Municipal Government Act. He further explained that the rates are similar to last years and will bring in \$76,000 revenue.

MO2010.122 Bertamini, Yemen moved first reading of Bylaw 15.10.

Discussion held on motion:

Councillor S. Shoff asked for clarification on the business license fee and business tax. R. Romanetz advised that a home based business is charged a business license fee while commercial businesses will pay a percentage of their current business tax assessment plus a business license. M. Roy explained that the amount of fees on both types of operations are similar.

Vote on Motion:

5 in favour McDonald, Yemen, Bertamini, Nimmo, Berdahl, Guidolin

1 opposed Shoff

Carried.

MO2010.123 McDonald, Guidolin moved second reading of Bylaw 15.10.

Vote on Motion:

5 in favour McDonald, Yemen, Bertamini, Nimmo, Berdahl, Guidolin

1 opposed Shoff

Carried.

MO2010.124 Bertamini, Guidolin no objection to third reading of Bylaw 15.10. Carried unanimously.

MO2010.125 Guidolin, Yemen moved third reading of Bylaw 15.10.

Vote on Motion:

5 in favour McDonald, Yemen, Bertamini, Nimmo, Berdahl, Guidolin

1 opposed Shoff

Carried.

8.1.5 Information - Canadian Badlands Passion Play Lease Agreement (land to be used for parking)

R. Romanetz advised that the Canadian Badlands Passion Play has approached the Town to enter into a lease agreement for overflow parking as identified on the topographical map. He further explained that the need for parking resulted in them no longer having access to the parking at the base of the ski hill and due to the increased seating in the amphitheatre. He further stated that the Town Solicitor will prepare the lease agreement and key considerations of the lease will include: lease period (lease to be renewed on annual basis or long term with a 12 month period to relinquish the use of the property); restrict access to the water tower; no cost to the Town however the Town may make equipment available but only on a very limited basis; grading of the property to be the responsibility of the Passion Play as per Palm Engineer's grading plan including drainage; no overnight camping; and

proof of insurance. R. Romanetz further advised that the matter was before the Municipal Planning Commission on June 5th and their decision was to approve the application subject to conditions that include the Passion Play entering into a development agreement with the Town, meet the conditions of the Alberta Protection Act, site activities to comply with the Noise Bylaw, etc. He explained that vehicle access would not be through 4th Avenue but through their main gate. He stated that the walking distance from the overflow parking area is similar to the other parking areas.

MO2010.126 Shoff, McDonald that Council approve the Parking Lease Agreement with the Canadian Badlands Passion Play subject to the inclusion of the terms as presented.

Discussion on Motion:

Councillor K. Bertamini stated that other options would be preferred such as bussing the guests into the site. Council requested that the neighboring properties be made aware of the parking expansion and that a dust abatement program be included in the development servicing agreement.

Vote on Motion: Carried unanimously.

8.2. Director of Infrastructure Services

8.2.1 RFD - Street Improvement Program

A. Kendrick advised that the tenders closed on June 1st, 2010 with a total of three tenders received ranging from \$1,109,672.00 to \$1,222,355.69. He further advised that the engineer's construction estimate prepared prior to tendering was \$1,564,061.10. He further stated that awarding of the contract to Brooks Asphalt would allow for the prioritizing street improvements as identified in the 2010 Road Program to be completed, as well as Alberta Transportation project of St. Anthony's School Intersection Treatment and signalization on Hwy 838. Administration is recommending that the tender be awarded to the low bidder, Brooks Asphalt.

MO2010.127 Yemen, McDonald that Council approve the awarding of the tender for the 2010 Street Improvement Program to Brooks Asphalt in the amount of \$1,109,672.00 subject to Alberta Transportation approvals. Carried unanimously.

8.3. Director of Corporate Services

8.4. Director of Community Services

9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

10.0 PUBLIC HEARING DECISIONS

11.0 UNFINISHED BUSINESS

11.1 RFD - Tourism Master Plan

R. Romanetz advised that additional information was provided to Council on the Terms of Reference, Project Scope and Scoring. He advised that the following motion was tabled at Council's meeting of May 25th:

MO2010.105 Shoff, Berdahl that Council accept the Request for Decision to award the Tourism Master Plan Study to Malone Parson Givens Ltd. for the amount of \$160,469.00 plus GST.

5 in favour - McDonald, Bertamini, Nimmo, Berdahl, Guidolin
2 opposed - Yemen, Shoff
Carried.

12.0 NOTICES OF MOTIONS

13.0 COUNCILLOR REPORTS

14.0 IN-CAMERA MATTERS

There being no further business, the Mayor declared the meeting adjourned at 5:34 PM.

CHIEF ADMINISTRATIVE OFFICER

MAYOR