

Town of Drumheller COUNCIL MEETING MINUTES

October 9, 2012 at 4:30 PM
Council Chamber, Town Hall
703-2nd Ave. West, Drumheller, Alberta



PRESENT:

MAYOR:

Terry Yemen

COUNCIL:

Andrew Berdahl

Jay Garbutt

Lisa Hansen-Zacharuk

Sharel Shoff

Doug Stanford

Tom Zariski

CHIEF ADMINISTRATIVE OFFICER/ENGINEER:

Ray Romanetz

DIRECTOR OF INFRASTRUCTURE SERVICES:

Allan Kendrick

ACTING DIRECTOR OF CORPORATE SERVICES:

Bill Wulff

DIRECTOR OF COMMUNITY SERVICES:

Paul Salvatore

RECORDING SECRETARY:

Linda Handy

1.0 CALL TO ORDER

- 1.1 Mayor Terry Yemen proclaimed October, 2012 as Breast Cancer Awareness the Month.

Mayor Yemen congratulated Councillor Sharel Shoff for her achievement in graduating from the Elected Officials Education Program. He noted that Sharel was one of five elected officials in Alberta who have completed the nine courses.

Mayor Yemen advised that he will be away from October 17th to November 3rd to act as a Short Term Observer for the CANADEM Mission Canada Election Observation mission at the 2012 Ukraine Parliamentary Elections.

2.0 MAYOR'S OPENING REMARK

3.0 PUBLIC HEARING

- 3.1 Mayor T. Yemen stated that the purpose of the Public Hearing is to

consider Bylaw 14.12 to close a portion of undeveloped walkway in East Coulee from use and to sell or hold that portion of undeveloped walkway.

Mayor Yemen called the Public Hearing to order at 4:35 PM.

Mayor Yemen asked Secretary, L. Handy if there were any items of correspondence. L. Handy advised there was one item of correspondence from Margaret English. The letter was read in its entirety which expressed concerns that the closure would impact access to the river, drainage and there was no notification to adjacent property owners.

Mayor Yemen asked if there was anyone who wished to speak in favor or against the proposal.

Don Gerlinger stated that he wishes to close the undeveloped walkway which would allow him to move his property line over to accommodate the development of a garage. He stated the drainage ditch will not be impacted. He further stated that he had discussed the proposal with his adjacent neighbors who have no concerns with the proposed closure.

Margaret English referred to her letter that was previously read into the record and stated that her concern is that the bylaw was not worded correctly. She stated that the undeveloped walkway as worded in the bylaw should be stated as a drainage ditch. She stated that she is opposed to the road closure bylaw if her changes were not incorporated. She further stated that she is concerned with erosion of the banks of the ditch. She stated that if the ditch remains open and maintained she would have no concerns with the proposed closure. She stated that the area has been flooded in the past and she did not want water running down her back alley. She also stated that she attempted to contact the adjacent neighbors but was not successful. She further advised that tourists use the undeveloped walkway as a path to the river.

Mayor Yemen asked Council for questions.

Councillor J. Garbutt asked D. Gerlinger if individuals use the proposed area as a walkway to the river. D. Gerlinger stated that no one uses the area as a walkway to the river.

CAO R. Romanetz clarified that a minimum of 15 ft. is being maintained for the drainage ditch and access to the river as identified on Hunter Survey Systems Ltd.'s drawing.

Councillor T. Zariski asked if the area is currently being maintained. R. Romanetz advised that Administration met with the Gerlingers on site and confirmed that the channel is cleaned and maintained by the Gerlingers. He further noted that the area is being used as a drainage

ditch.

Councillor A. Berdahl asked Margaret English if she had seen the proposed drawing which identifies that the ditch would remain as is. M. English indicated that she did see the drawing but her concern is with erosion of the ditch and that the bylaw should be reworded as such for future use. Councillor A. Berdahl asked Administration if erosion would impact the bank? A. Kendrick stated that the bank will not be impacted by erosion because the trees will remain and the area is only needed for creating the sideyard setbacks (3.3 ft.) for the garage. R. Romanetz stated that there is no substantial change to the area and the area will continue to remain as a drainage ditch and the mature trees will not be disturbed.

Mayor Yemen asked for rebuttals from the speakers. There were no rebuttals.

R. Romanetz advised that circulation to utility companies as required has been completed and they have indicated no concerns. He further noted that the information presented at the hearing today along with the bylaw will be submitted to the Minister for his review.

Mayor Yemen closed the public hearing at 4:43 PM.

4.0 ADOPTION OF AGENDA

MO2012.136 Berdahl, Garbutt moved to adopt 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 September 24, 2012

MO2012.137 Zariski, Shoff moved to adopt the minutes of the regular Council Meeting of September 24, 2012 as presented. Carried unanimously.

5.2. MINUTES OF MEETING 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

8.2. Director of Infrastructure Services

8.2.1 RFD for Crushed Gravel Tender

A. Kendrick advised that tenders for the supply of crushed gravel closed on September 28, 2012 with four tenders received. He advised that the engineering estimate for this project was approximately \$300,000 as outlined in the letter from Palm Engineering Ltd. The gravel would become part of our inventory funded through our cash flows and expensed against the operating budget on an annual basis until the inventory is depleted. The material is scaled in and out of the storage area at the landfill.

MO2012.138 Hansen-Zacharuk, Shoff moved that Council award the low tender bid to McNair Sand & Gravel Ltd. In the amount of \$298,200 (includes GST).

Clarification on the Motion

In response to a question from Council, A. Kendrick advised that the company is located in Beiseker however the gravel will be supplied from their Wintering Hills location.

Vote on Motion:

Carried unanimously.

8.3. Director of Corporate Services

8.3.1 2012 Tax Recovery Public Auction

B. Wulff advised that as part of the tax recovery process under the MGA, properties with a tax caveat registered against them must be offered for public auction one year after the date of the tax caveat. The properties due for auction were registered in 2011. As another part of the process Council must set the terms and reserve bid for these properties. In the past terms have been cash and the reserve bid was equal to the current year's assessment. Reserve bid must be as close to market value as possible. All costs relating to the tax recovery notification, the public auction and if a property appraisal is carried out are passed on to the property owners.

MO2012.139 Shoff, Stanford moved that Council set the reserve bid price for properties for the January 25, 2013 tax recovery auction. Furthermore, the successful bidder must pay via cash, or money order.

Clarification on Motion:

In response to a question from Council, B. Wulff explained that following the public auction date, the Town may either take title to any unsold properties or sell the property for as reasonably close to market value as possible. If it is an abandoned property and the Town sells the property, the previous owner has up to 10 years to claim any surplus from the sale of the property. He further advised that the Town may enter into an agreement with the property owner for the payment of the tax arrears over a period not exceeding three (3) years. He explained that in most cases the property owners pay their tax arrears prior to the public auction date.

Vote on Motion

Carried unanimously.

8.4. Director of Community Services

8.4.1 RFD - Family Recreation Membership Policy

P. Salvatore presented the current working definition of “family” for the Badlands Community Facility which is described as follows: “2 adults and 2 children, where any additional children applied to a membership are expected to pay as ‘an additional dependant’.” He advised that the former verbal policy held at the Aquaplex included a membership rate for the full family, not limited to the number of children. He further advised that feedback from citizens has led Administration to evaluate policies in place for recreation services in other municipal jurisdictions. From the review, the most consistent definition of “family” within municipal recreation centers would be defined as follows: *“A family is defined as a married couple and the children, if any, of either or both spouses; a couple living common law and the children, if any, of either or both partners; or, a lone parent of any marital status with at least one child living in the same dwelling and that child or those children. All members of a particular family live in the same dwelling. A couple may be of opposite or same sex. Children may be children by birth, marriage or adoption up to the age of 18 (unless attending a post-secondary institution full-time with supporting documentation to a maximum of the age of 25) as long as they live in the dwelling and do not have their own spouse or child living in the dwelling. Grandchildren living with their grandparent(s) but with no parents present also constitute a family by this definition.”* He advised that currently there are six families who have memberships that are above and beyond the family who exceed four in total. The impact of changing the definition to include the total family living under the same roof will not significantly impact revenues. He further advised that by adopting a new family definition more families may want to join the facilities.

MO2012.140 Shoff, Zariski that Council moved to change the definition of family to the new definition as presented *“A family is defined as a married couple and the children, if any, of either or both spouses; a couple living common law and the children, if any, of either or both partners; or, a lone parent of any marital status with at least one child living in the same dwelling and that child or those children. All members of a particular family live in the same dwelling. A couple may be of opposite or same sex. Children may be children by birth, marriage or adoption up to the age of 18 (unless attending a post-secondary institution full-time with supporting documentation to a maximum of the age of 25) as long as they live in the dwelling and do not have their own spouse or child living in the dwelling. Grandchildren living with their grandparent(s) but with no parents present also constitute a family by this definition.”*

Councillor J. Garbutt asked for a friendly amendment to include a reimbursement to those families currently paying a membership. Councillors Shoff and Zariski agreed.

AMENDED MO2012.140A Shoff, Zariski that Council moved to change the definition of family to the new definition as presented *“A family is defined as a married couple and the children, if any, of either or both spouses; a couple living common law and the children, if any, of either or both partners; or, a lone parent of any marital status with at least one child living in the same dwelling and that child or those children. All members of a particular family live in the same dwelling. A couple may be of opposite or same*

sex. Children may be children by birth, marriage or adoption up to the age of 18 (unless attending a post-secondary institution full-time with supporting documentation to a maximum of the age of 25) as long as they live in the dwelling and do not have their own spouse or child living in the dwelling. Grandchildren living with their grandparent(s) but with no parents present also constitute a family by this definition,” and further that the Town of Drumheller provide a reimbursement to those families currently paying a membership.

Clarification on Motion:

Councillor A. Berdhal stated that the definition is restrictive and does include a residential component for split custody of children. P. Salvatore clarified that the family definition as worded would include the family living under one roof.

Vote on Motion

6 – in favour Yemen, Zariski, Stanford, Shoff, Hansen-Zacharuk, Garbutt

1 - opposed Berdahl

Motion carried.

9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

10.0 PUBLIC HEARING DECISIONS

11.0 UNFINISHED BUSINESS

12.0 NOTICES OF MOTIONS

13.0 COUNCILLOR REPORTS

13.1 A.U.M.A. Reports

Mayor, Council and CAO presented an overview of their attendance at the AUMA Convention in Edmonton on September 26th to 28th. While at the AUMA, Councillor J. Garbutt advised that he was able to speak with a representative from the Solicitor General's Office on acquiring an additional RCMP member for the Drumheller Institution. R. Romanetz stated that the FCM President's speech included comments that the Federal Government may extend the Building Canada Fund Program. He stated that the Town needs to put together a package for a potential shovel ready project. He further advised that the Minister of Transportation indicated that the province is willing to look at the development of trails within highway right of ways. He further advised that the Province is willing to consider applications that will not impact highway safety.

Councillor J. Garbutt stated that he attended the pre-conference session on affordable housing and of those in attendance, Drumheller was the only community who owned an affordable housing unit. He stated that Drumheller was the only example of a smaller community that took steps towards affordable housing.

Mayor T. Yemen stated that he along with Council members and some residents of the community met with Minister Doug Horner to discuss provincial spending. He

encouraged residents to view the Minister's website at www.dollarsandsense.alberta.ca to answer the questions.

14.0 IN-CAMERA MATTERS MO2012.141 Shoff, Stanford to move in camera at 5:32 PM. Carried unanimously.

14.1 Personnel Matter

MO2012.142 Shoff, Hansen-Zacharuk moved to revert to regular Council meeting at 6:05 PM. Carried unanimously.

There being no further business, the Mayor declared the meeting adjourned at 6:05 PM.

Mayor

Chief Administrative Officer