

Town of Drumheller COUNCIL MEETING MINUTES

March 26, 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

CHIEF ADMINISTRATIVE OFFICER/ENGINEER:

Ray Romanetz

ACTING DIRECTOR OF CORPORATE SERVICES:

Bill Wulff

DIRECTOR OF COMMUNITY SERVICES:

Paul Salvatore

RECORDING SECRETARY:

Linda Handy

ABSENT: **DIRECTOR OF INFRASTRUCTURE SERVICES:**

Allan Kendrick

COUNCILLOR Tom Zariski

1.0 CALL TO ORDER

2.0 MAYOR'S OPENING REMARK

- 2.1 Mayor T. Yemen presented a letter from the Alberta Solicitor General and Public Security advising of funding under the new Municipal Policing Assistance agreement effective April 1, 2012.

Mayor T. Yemen presented a letter from Alberta Transportation advising of grant funding that will be provided to the Town under the 2012 Transportation grant programs as follows: Basic Municipal Transportation Grant in the amount of \$475,920 for the Streets Improvement Program. This grant is based on \$60 per capital and the official 2011 population; and the Federal Gas Tax Fund in the amount of \$442,051.

Mayor T. Yemen presented a letter from Alberta Transportation advising of the first payment under the Water for Life Component of the Alberta Municipal Water /

Wastewater Partnership for the Cambria to East Coulee-Regional Waterline Extension project in the amount of \$250,000.

Mayor T. Yemen advised that he along with Councillor S. Shoff attended the 2012 World Water Day – Water and Food Security Conference on March 22nd. He stated that the topics covered included: Alberta Runs on Water; Water Allocation and Water Conservation Objectives; Water and Agriculture for the Future; and Sustainable Equitable Local Regenerative System for Food. Councillor S. Shoff agreed to provide an overview of the conference notes to Council and Media via an Email.

- 2.2 **MO2012.35** Shoff, Hansen-Zacharuk that Doug Stanford be appointed to the Citizens on Patrol Committee.

In response to a question from Council on the purpose of the appointment, Councillor D. Stanford explained that as a representative on several policing committees, he feels that he can offer answers to the Citizens on Patrol Committee's questions that are similar in nature to discussions held on the other committees.

Vote on Motion: Carried unanimously.

3.0 PUBLIC HEARING

4.0 ADOPTION OF AGENDA

MO2012.36 Berdahl, Shoff 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 February 27, 2012

MO2012.37 Stanford, Hansen-Zacharuk moved to adopt the Regular Council Meeting Minutes of February 27, 2012 as presented. Carried unanimously.

5.1.2 Regular Council Meeting Minutes of March 12, 2012

MO2012.38 Shoff, Hansen-Zacharuk moved to adopt the Regular Council Meeting Minutes of March 12, 2012 as presented. Carried unanimously.

5.1.3 Special Council Meeting Minutes of February 29, 2012

MO2012.39 Garbutt, Hansen-Zacharuk moved to adopt the Special Council Meeting Minutes of February 29, 2012 as presented. Carried unanimously.

5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

5.2.1 Municipal Planning Commission Minutes of January 19, 2012

5.2.2 Municipal Planning Commission Minutes of February 9, 2012

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 David Edmunds, GEC Architect - Badlands Community Facility Update
R. Romanetz stated that David Edmunds – GEC was in attendance to speak to the overall project costing for the new facility.

David Edmunds – GEC provided a summary sheet of the total project costs with the following comments:

- GEC has been tracking project expenditures (estimated and committed) against the budget that Council approved on June 18, 2012 in the amount of \$21,221,786.40.
- The expenditures to date are \$20,830,520.14 leaving a surplus of \$371,766.26.
- The steel change order remains unresolved.

R. Romanetz asked D. Edmunds to explain the scope items that were not included in the original budget and how this impacts the surplus. D. Edmunds explained that when the project went to tender, the construction estimates for the work was close to \$19M and the team was overly cautious with the budget of \$20M and removed items that were “wants”. When the tender came in substantially better than anticipated at \$16M, these items were put back into the project. This resulted in a number of areas where the Town expended more dollars than our cash allowances allowed, i.e. kitchen and audio visual. The kitchen and AV equipment expenses were 3% of the contingency. If you take out the 3% scope items (kitchen and AV equipment) from the 7% contingency, it leaves 4% for change orders (resulting from issues between trades, soil conditions, electrical components, etc.). He stated that 3-5% is generally within the industry’s acceptable budget range for change orders. He advised that further savings resulted because the site works were undertaken under a separate contract.

Councillor J. Garbutt asked the variance in the steel contract for what they want versus what the contract price. D. Edmunds advised that the contract price should be \$90,000 and they are asking for \$200,000 because they are claiming weather delays. He stated that this is unreasonable because the steel contractor is trying to claim for the fact that the productivity of their people was impacted by doing the work in cold weather. R.

Romanetz explained that there are steps identified within the contract that need to be followed to move forward to resolution. Councillor J. Garbutt asked the expectations for the subcontractors to clean their work areas and the timeline for the building to be an acceptable standard. D. Edmunds stated that he expected the standards to be there three months ago. He further stated that occupancy was not desirable based on a building of this size and the work that remains outstanding. He further explained that a contractor is responsible for all subcontractors cleaning, etc. He stated that both GEC and the Town are at the point where the provisions in the contract need to be exercised. This would involve having the building owners undertake the work themselves if performance is lacking. The Town has a right to expect that work is done by a certain date and if not, the clause would allow the Town to bring in others to do the work. Councillor A. Berdahl asked when it would be reasonable to move forward with this process. D. Edmunds advised that the timeline has already passed and GEC is at the point of starting the process due to the fact that 85% of the project is completed and paid with 15% of the work is still outstanding. He further advised that the deficiency list needs to be completed and the contractor needs to be given a date to resolve the deficiencies. If he does not meet this date, GEC would follow through on the process. He further stated that it is GEC's responsibility to review the work in accordance with the contract (cleanliness would be one item of deficiency). R. Romanetz stated that the Project Management Team provides overall directives to the architect to move things forward.

8.1.2 Bylaw 04.12 being a bylaw to amend the Land Use Bylaw 10.08 by redesignating a portion of LSD 5 of SW1/4-11-29-20W4M from CR - Country Residential District to R1 - Residential District

R. Romanetz advised that as a condition of the subdivision approved by Palliser, a land use amendment is required to reclassify the existing Country Residential District (CR) to Residential District (R1). The applicant proposed to create a number of smaller parcels to an existing lot. He recommended that Council proceed to first reading to allow for the advertising phase and the public hearing.

MO2012.40 Berdahl, Hansen-Zacharuk for first reading to Bylaw 04.12.
In favour – Berdahl, Shoff, Hansen-Zacharuk, Yemen, Garbutt
Opposed - Stanford.
Motion Carried.

8.1.3 RFD - Municipal Police Service Agreement (MPSA) (Federal - 20 year agreement)

R. Romanetz advised that Public Safety Canada and the Alberta Solicitor General and Public Security have requested that the Town of Drumheller sign the Municipal Police Service Agreement which will come into effect on April 1, 2012. The term of the agreement is for 20 years. He further stated that the agreement was passed by all the Provinces and Territories and it is unlikely that any change would be considered. It was also confirmed in the attached Email from Public Safety Canada that the estimated financial impacts of the new agreement will be nominal.

MO2012.41 Shoff, Garbutt that Council agree to sign the Municipal Police Service Agreement as presented.

Councillor A. Berdahl requested Administration to monitor the granting amounts to ensure that the amounts represent the Town's needs.

Vote on Motion: Carried unanimously.

8.2. Director of Infrastructure Services

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

12.0 NOTICES OF MOTIONS

13.0 COUNCILLOR REPORTS

14.0 IN-CAMERA MATTERS

MO2012.42 Shoff, Garbutt to move in camera at 5:23 PM re: 14.1 Personnel Matter. Carried unanimously.

MO2012.43 Shoff, Garbutt to revert to regular Council Meeting at 5:43 PM. Carried unanimously.

14.1 Personnel Matter

MO2012.44 Garbutt, Berdahl that Council approve a 3% increase for all out of scope employees.

In favor: Shoff, Berdahl, Stanford, Garbutt, Yemen

Opposed: Hansen-Zacharuk

Vote on Motion: Carried.

There being no further business, the Mayor declared the meeting adjourned at 5:44 PM.

Mayor

Chief Administrative Officer