

**Town of Drumheller
COUNCIL MEETING
MINUTES**

October 28, 2019, at 4:30 PM
Council Chamber, Town Hall
224 Centre Street, Drumheller, AB, T0J 0Y4



PRESENT:

DEPUTY MAYOR

Kristyne DeMott

COUNCIL:

Jay Garbutt

Lisa Hansen-Zacharuk

Tony Lacher

Fred Makowecki

Tom Zariski

CHIEF ADMINISTRATIVE OFFICER:

Darryl Drohomerski

DIRECTOR OF INFRASTRUCTURE SERVICES:

Dave Brett

DIRECTOR OF PROTECTIVE SERVICES:

Greg Peters

COMMUNICATIONS OFFICER:

Julia Fielding

RECORDING SECRETARY:

Dori Appleton

ABSENT:

MAYOR:

Heather Colberg

DEPUTY CAO/DIRECTOR OF CORPORATE SERVICES:

Barb Miller

ECONOMIC DEVELOPMENT MANAGER:

Sean Wallace

1. CALL TO ORDER

Deputy Mayor K. DeMott called the meeting to order at 4.31 pm

2. DEPUTY MAYOR'S OPENING REMARK

The first poppy was handed out to the Deputy Mayor by the member of the Legion.
Table top Emergency Exercise was successful – G. Peters will be bringing a report to Council next month.
The Masquerade Ball was successful.

3. ADOPTION OF AGENDA

M2019.203 moved by L. Hansen-Zacharuk, F. Makowecki to adopt the Agenda of the regular meeting of council as presented.

Carried Unanimously.

4. MINUTES

4.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

Regular Council Meeting Minutes September 30, 2019

M2019.204 moved by J. Garbutt, T. Zariski to adopt minutes of Regular Council Meeting of September 30, 2019 as presented.

Carried Unanimously.

4.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

Municipal Planning Commission Minutes - September 19, 2019

4.3. BUSINESS ARISING FROM THE MINUTES

5. DELEGATIONS

6. REQUEST FOR DECISION REPORTS

6.1. CAO

By-Law 12.19 rezoning application for 1114 Newcastle Trail

D. Drohomerski – In schedule A, Land Use Districts Map, redesignate Plan 3065FA Lots 5-6, in the Town of Drumheller, from R-4 (Residential District) to R-2 (Residential District) District as shown on the plan. Attachment was presented to Council to review. This property is the only one in this part of Newcastle that is zoned for Multi-family. The new owner wishes to convert to a two (2) family zoning.

M2019.205 move by T. Zariski, L. Hansen-Zacharuk to give first reading of Bylaw 12.19.

Carried Unanimously.

Public hearing scheduled for November 25th, 2019

Subdivision, Land Exchange and Consolidation for East Coulee Water Line Project – Time Extension

D. Drohomerski – recommendation to Council to extend the time period for Hunter Survey Systems Ltd. to complete the condition of subdivision to March 1st, 2020 in accordance with the authority provided to Council Sec. 657(6)(a) of the Municipal Government Act R.S.A.

M2019.206 moved by T. Lacher, L. Hansen-Zacharuk to extend the time period for Hunter Survey Systems Ltd. to complete the condition of subdivision to March 1st, 2020 in accordance with the authority provided to Council Sec. 657(6)(a) of the Municipal Government Act R.S.A.

Carried Unanimously.

Passion Play Road Closure, Subdivision Consolidation and U.R.W Easements within N.W 1/4 Sec. 3 and S.W. 1/4 Sec. 10 in Township 29, Range 20 W 4th. Meridian

D. Drohomerski - Recommendation that Council extend the time period for Hunter Survey Systems Ltd. to complete the condition of subdivision to June 30th, 2020 in accordance with the authority provided to Council Sec. 657(6)(a) of the Municipal Government Act R.S.A.

D. Drohomerski -The attached subdivision was conditionally approved by Palliser Regional Municipal Services subject to 12 conditions of subdivision being met before February 21st, 2015. Due to extenuating circumstances the time limit to complete this work passed.

Recommendation that Council extend the time period for Hunter Survey Systems Ltd. to complete the condition of subdivision to June 30th, 2020 in accordance with the authority provided to Council Sec. 657(6)(a) of the Municipal Government Act R.S.A.

M2019.207 moved by L. Hansen-Zacharuk, F. Makowecki to extend the time period for Hunter Survey Systems Ltd. to complete the condition of subdivision to June 30th, 2020 in accordance with the authority provided to Council Sec. 657(6)(a) of the Municipal Government Act R.S.A.

Carried Unanimously.

Bylaw revision 13.19 to By-law 19.13

hereby enact to close the following described portions of the Original Road Allowance, Street and Lane on Plan 4790 D.O. from public use, obtain titles to same in the name of THE TOWN OF DRUMHELLER

M2019.208 moved by T. Zariski, J. Garbutt to give 1st reading of By-law 19.13

Carried Unanimously.

M2019.209 moved by L. Hansen-Zacharuk, T. Lacher to give 2nd reading of By-law 19.13

Carried Unanimously.

M2019.210 moved by T. Lacher, J Garbutt to give no objection to 3rd reading

Carried Unanimously.

M2019.211 moved by J. Garbutt, F. Makowecki to give 3rd reading of By-law 19.13

Carried Unanimously.

By-law revision 19.13 to By-law 14.19

M2019.212 moved by L. Hansen-Zacharuk, T. Lacher to give 1st reading of By-law 14.19

Carried Unanimously.

M2019.213 moved by T. Lacher, J. Garbutt to give 2nd reading of By-law 14.19

Carried Unanimously.

M2019.214 moved by F. Makowecki, J. Garbutt to give no objection to 3rd reading

Carried Unanimously.

M2019.215 moved by T. Zariski, T. Lacher to give 3rd reading of By-law 14.19

Carried Unanimously.

6.2. DEPUTY CAO / DIRECTOR OF CORPORATE SERVICES

Request For Decision Shallow Gas Tax Relief

D. Drohomerski - Administration is seeking a resolution of Council authorizing the cancellation of 35% of the 2019 property taxes and any late penalty fees levied against shallow gas wells and related pipelines.

M2019.216 moved by T. Zariski, L. Hansen-Zacharuk that pursuant to Section 347 of the MGA, for all properties identified in the appendix – summary of Tax Relief by Company, attached to and forming part of the council minutes, Council authorizes the cancellation and/or refund of the 2019 property taxes paid or owing so as to reduce by 35 per cent property taxes levied as per section 353(2) of the MGA, which includes municipal property taxes, requisitions detailed in section 326(1)(a) and 359(1)(2), as well as special taxes levied under section 382(1) where the tax rate is based on the assessment. Cancellation and/or refund of tax penalties with the 2019 property taxes levied as per section 353(2) of the MGA.

M2019.217 moved by J. Garbutt, L. Hansen-Zacharuk to table as there wasn't a table attached that was mentioned in B. Miller's report.

Carried Unanimously

Request For Decision 2019 Reserve Bid: Tax Recovery Public Auction

D. Drohomerski - That Council set the assessed value as the reserve bid price for properties for the January 24, 2020 tax recovery auction. Furthermore, the successful bidder must pay via cash, or cash equivalent.

M2019.218 moved by J. Garbutt, L. Hansen-Zacharuk to set the assessed value as the reserve bid price for properties for the January 24, 2020 tax recovery auction. Furthermore, the successful bidder must pay via cash, or cash equivalent.

Carried Unanimously.

6.3. DIRECTOR OF INFRASTRUCTURE SERVICES

Request for Decision - Aquaplex Roof Repairs

D. Brett – A tender was sent out for roof repairs at the Aquaplex, as this work had been identified through our Asset Management Plan for reroofing in 2018.

It is recommended that the tender for roof repairs be awarded to Canterbury Roofing in the amount of \$258,750.00 excluding GST.

M2019.219 moved by T. Lacher, J. Garbutt that the Request for Tender for the Aquaplex Roof Repairs be awarded to Canterbury Roofing in the amount of \$258,750.00 excluding GST.

Carried Unanimously.

Patio Policy #C 04.19

D. Brett – this draft Policy was originally presented to Council Oct 21, 2019 for discussion and reflects the recommended changes.

M2019.220 moved by T. Lacher, F. Makowecki to adopt the Patio Policy #C 04.19 as presented.

Carried Unanimously.

6.4. DIRECTOR OF EMERGENCY / PROTECTIVE SERVICES

6.5. MANAGER OF ECONOMIC DEVELOPMENT

6.6. COMMUNICATIONS OFFICER

Request For Decision - Town App

J. Fielding – Following recent presentations made and final evaluation made, it is recommended that Council approve the award for services to See Click Fix to create a mobile app for the Town of Drumheller.

M2019.221 moved by L. Hansen-Zacharuk, T. Lacher to award the services to See Click Fix to create a mobile app for the Town of Drumheller.

Carried Unanimously.

6.7. REVIEW OF STRATEGIC PRIORITIES

Request For Decision - Hoodoo Pay & Play Parking Fee

G. Peters - Piloting Pay and Play options for parking was a strategic aim of Council in 2019. Location selected was the Hoodoo's which proved to be successful with the estimated net gain of \$27,500.00.

M2019.222 moved by J. Garbutt, L. Hansen-Zacharuk to approve the continuation of charging for parking at the Hoodoo parking lot for the following year 2020, at a cost of \$2 per person and \$10 per for commercial.

Carried Unanimously.

7. PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

Communication Officer – J. Fielding

Presented a verbal and written update on Q3, branding and communication activities.

Manager Arts Culture & Recreation – D. Goldthorpe

Presented a verbal and written update on Recreation & Cultural activities that occurred over the summer (Q3)

FCSS Coordinator – D. Drohomerski for A. Harrison

Presented verbal and written informative on FCSS Q3 activities and priorities.

8. PUBLIC HEARING TO COMMENCE AT 5:30 PM

9. PUBLIC HEARING DECISIONS

10. UNFINISHED BUSINESS

11. NOTICE OF MOTION

12. COUNCILLOR REPORTS

13. IN-CAMERA MATTERS

M2019.223 moved by L. Hansen-Zacharuk, T. Lacher to go into a closed meeting at 6.02 pm

Carried Unanimously.

Land Matter; Legal Description 4;19;29;6;SW (*FOIP Act Section 23 Local Body Confidences*)

M2019.224 moved by J. Garbutt, L. Hansen-Zacharuk to revert back to a regular meeting at 6.32 pm

Carried Unanimously.

EXPROPRIATION ACT
R.S.A. 2000, Chapter E-13, as amended

RESOLUTION

REGARDING EXPROPRIATION FOR THE PURPOSE OF ACQUIRING A
LEASEHOLD INTEREST OVER CERTAIN LANDS LOCATED WITHIN THE TOWN
OF DRUMHELLER

WHEREAS the **TOWN OF DRUMHELLER** is desirous of acquiring the entire leasehold interest of Grant Dekeyser for the purposes of providing services, facilities or other things that, in the opinion of council, are necessary or desirable for all or a part of the Town:

Short Legal
8211457;1

Title Number
821 187 433

PLAN 8211457
BLOCK 1
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 3.77 HECTARES (9.32 ACRES) MORE OR LESS

- and -

Short Legal
8211457;2

Title Number
821 187 433 A

PLAN 8211457
BLOCK TWO (2)
CONTAINING 35.6 HECTARES MORE OR LESS
ALSO EXCEPTING PORTION OUT OF SAID BLOCK TWO (2)
FOR ROAD ON PLAN 8410046
EXCEPTING THEREOUT ALL MINES AND MINERALS

- and -

Short Legal
8211457;3

Title Number
821 187 433 B

PLAN 8211457

**BLOCK 3
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 28.4 HECTARES (70.18 ACRES) MORE OR LESS**

(such lands to be subject to the taking hereinafter referred to collectively as the "**Lands**").

AND WHEREAS pursuant to the provisions of the *Municipal Government Act*, RSA 2000, c. M-26, as amended, the **TOWN OF DRUMHELLER** has the authority to acquire a leasehold interest with respect to the Lands by expropriation;

AND WHEREAS the **TOWN OF DRUMHELLER** deems it to be in the public interest and good that the leasehold estate be acquired by expropriation;

AND WHEREAS the **TOWN OF DRUMHELLER** is desirous of acquiring the said leasehold estate pursuant to the provisions of the *Expropriation Act*, RSA 2000, c. E-13, as amended;

NOW THEREFORE BE IT RESOLVED:

1. THAT the proceedings shall be commenced by the **TOWN OF DRUMHELLER**, its servants, officers or agents to expropriate leasehold estate in the Lands.
2. THAT the officers, servants or agents of the **TOWN OF DRUMHELLER** and the solicitors for the **TOWN OF DRUMHELLER** be, and are hereby authorized and directed to do all things necessary to initiate, carry out and conclude the expropriation proceedings under the provisions of the *Expropriation Act*, and they are hereby authorized and empowered to sign, seal, serve and publish the necessary documents to initiate, proceed with and conclude the said expropriation, as applicable.

M2019.225 – moved by T. Zariski, J. Garbutt to proceed with expropriation of lands as listed and from part of these minutes.

Carried Unanimously.

14. ADJOURNMENT

M2019.226 moved by L. Hansen-Zacharuk, J. Garbutt to Adjourn the meeting at 6.37 pm.

Second video recorded on YouTube but there is no sound recorded.

Chief Administrative Officer

Deputy Mayor K. DeMott