

**Town of Drumheller  
COUNCIL MEETING  
MINUTES**

**November 25, 2019, 2018 at 4:30 PM**  
Council Chamber, Town Hall  
224 Centre Street, Drumheller, AB, T0J 0Y4



**PRESENT:**

**MAYOR:**

Heather Colberg

**COUNCIL:**

Kristyne DeMott

Jay Garbutt

Lisa Hansen-Zacharuk

Tony Lacher

Fred Makowecki

Tom Zariski

**CHIEF ADMINISTRATIVE OFFICER:**

Darryl Drohomerski

**DEPUTY CAO /DIRECTOR OF CORPORATE SERVICES:**

Barb Miller

**DIRECTOR OF INFRASTRUCTURE SERVICES:**

Dave Brett

**DIRECTOR OF EMERGENCY AND PROTECTIVE SERVICES:**

Greg Peters

**COMMUNICATIONS OFFICER:**

Julia Fielding

**MANAGER OF ECONOMIC DEVELOPMENT:**

Sean Wallace

**RECORDING SECRETARY:**

Libby Vant

**10 CALL TO ORDER**

Mayor Colberg called the meeting to order at 4:30 PM.

**20 MAYOR'S OPENING REMARK**

Mayor Colberg provided her opening remarks.

**30 ADOPTION OF AGENDA**

**M2019.310** Hansen-Zacharuk, DeMott moved to adopt the agenda as presented.

Carried unanimously.

**40 MINUTES**

**40.1 ADOPTION OF REGULAR COUNCIL MEETING MINUTES**

40.1.1 Regular Council Meeting Minutes of November 12, 2019

**M2019.311** Zariski, Lacher moved to adopt the minutes of the Regular Council Meeting of November 12, 2019.

Carried unanimously.

**40.2 MINUTES OF MEETINGS PRESENTED FOR INFORMATION**

40.2.1 Municipal Planning Committee - Minutes of September 5, 2019

40.2.2 Municipal Planning Committee - Minutes of October 3, 2019

**40.3 BUSINESS ARISING FROM THE MINUTES**

**50 DELEGATIONS**

**60 REQUEST FOR DECISION REPORTS**

**60.1 CAO**

60.1.1 Bylaw 16.19 Lane Closure in East Coulee - First Reading

D. Drohomerski presented Bylaw 16.19 being a bylaw for a lane closure in East Coulee for first reading.

**M2019.312** Hansen-Zacharuk, DeMott moved first reading of Bylaw 16.19 Lane Closure in East Coulee.

Carried unanimously.

60.1.2 Bylaw 17.19 Road Closure portion of 3 Street SW - First Reading

D. Drohomerski presented Bylaw 17.19 being a bylaw for a road closure for a portion of 3 Street SW.

**M2019.313** Zariski, Hansen-Zacharuk moved first reading of Bylaw 17.19 Road Closure for a portion of 3 Street SW.

Carried unanimously.

60.1.3 Request For Decision - Appointments to Economic Development Committee

D. Drohomerski presented a Request for Decision for the appointment of two volunteers to the Economic Development Advisory Committee, Terri Murray and Brian Yanish.

**M2019.314** Makowecki, Lacher moved to approve the appointments of Terri Murray and Brian Yanish to the Economic Development Advisory Committee for three year terms expiring in 2022.

Carried unanimously.

60.1.4 Bylaw 12.19 Rezoning Application for 1114 Newcastle Trail Second and Third Readings (After the Public Hearing)

After the Public Hearing, D. Drohomerski presented Bylaw 12.19 for the rezoning of 1114 Newcastle Trail from R-4 to R-2.

**M2019.319** Zariski, DeMott moved to approve second reading of Bylaw 12.19 Rezoning Application for 1114 Newcastle Trail.

Carried unanimously.

**M2019.320** Garbutt, Hansen-Zacharuk moved to approve third reading of Bylaw 12.19 Rezoning Application for 1114 Newcastle Trail.

Carried unanimously.

**60.2 DEPUTY CAO / DIRECTOR OF CORPORATE SERVICES**

**60.3 DIRECTOR OF INFRASTRUCTURE SERVICES**

**60.4 DIRECTOR OF EMERGENCY / PROTECTIVE SERVICES**

60.4.1 Request for Decision - Purchase of One (1) Quint Aerial Fire Truck

G. Peters presented a Request for Decision for the purchase of one Quint Aerial Fire Truck. In response to a question from Council, B. Miller advised that the most logical means to make up for the price short fall for this purchase would be to take it out of Municipal Sustainability Initiative (MSI) funding. Councillor Garbutt asked about the delivery time on the purchase; G. Peters responded that the vehicle would be ready for delivery within nine months of purchase. Councillor Garbutt asked if Administration was sure that this purchase was the place to cut the proposed \$ 47, 000.00 for fire protection. G. Peters advised that he asked this question of himself, the Fire Chief and other fire protection members and it was unanimously agreed that this was the best choice. Councillor Garbutt asked if the Fire Chief were in attendance today, would he be in agreement with the recommendation; G. Peters stated that he believed the Fire Chief would be in agreement. Discussion took place on the specifications, axles and weight of the proposed vehicle as well as how the old aerial and tanker trucks will be retired and dispersed. Further discussion took place on the proposed vehicle's warranties and life expectancy and staff training for its operation. G. Peters advised that the proposed vehicle comes with a cold weather package and the operational training will take place in Drumheller, the cost of which is included in the price.

**M2019.315** Zariski, Hansen-Zacharuk moved to approve award of the contract for the supply and delivery of one (1) 2019 Quint Aerial platform fire apparatus unit to Commercial Emergency Equipment Company of Calgary, Alberta, for \$1,316,841.00 with the total amount, including the over expenditure, to be funded through MSI.

Carried unanimously.

**60.5 MANAGER OF ECONOMIC DEVELOPMENT**

**60.6 COMMUNICATIONS OFFICER**

**60.7 REVIEW OF STRATEGIC PRIORITIES**

**70 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION**

**80 PUBLIC HEARING TO COMMENCE AT 5:30 PM**

**80.1 By-Law 12.19 Rezoning Application for 1114 Newcastle Trail**

Mayor Colberg called the Public Hearing to order at **5:36 PM** and stated the purpose of the meeting: to consider Bylaw 12.19 being a bylaw to amend Land Use Bylaw 10.08 for the Town of Drumheller to redesignate Plan 3065 FA Lots 5-6 in the Town of Drumheller from R-4 (Residential District) to R-2 (Residential District).

Mayor Colberg asked if there were members of the public who wished to speak on the matter – there were none.

Mayor Colberg asked for a summary report on the matter from Palliser Regional Municipal Services. D. Diano provided the following report:

*An application was submitted to Palliser Regional Municipal Services (PRMS) to redistrict (rezone) this property from R-4 (Residential District) to R-2 (Residential District) as seen in the attached maps. The application was submitted by W. Harry Gough, the agent authorized to act on behalf of the registered landowner Royal Robert Livingstone, Executor for the estate of Stanley Allen Maldwin Cody.*

*Background Information:*

*The agent has been retained to act on behalf of the registered owner for the purpose of the sale of the subject property. In the process of selling the property, the Town of Drumheller was asked to provide a Certificate Respecting Compliance. This certificate identified that the Principal Building (Single Family Dwelling) within the property is not in conformity with the provisions of the LUB for the R-4 District. Within the R-4 District, Single Family Dwelling is not a Permitted Use nor a Discretionary Use.*

*For the Executor to sell the property and complete the estate, these lands will need to be rezoned to the proposed R-2 District which will bring the existing Single Family Dwelling into compliance with the LUB.*

*Land Use Considerations:*

*The subject property is currently bordered by R-2 District residential properties on the east, west and north shared boundaries. Rezoning the subject property to the proposed R-2 District is not anticipated to create any adverse impacts to surrounding properties and will be consistent with the surrounding R-2 District parcels and residential development.*

*The existing Single Family Dwelling and Accessory Building (detached garage) will be permitted uses under the proposed R-2 District. Further, rezoning to the proposed R-2 District will permit all uses within the R-2 District as outline in the LUB.*

*Lastly, The Municipal Development Plan (MDP) Future Land Use Map does not indicate a designated future land use for the subject property, making this request consistent with the MDP.*

*Process- Statutory Requirements for Advertising:*

*The bylaw was granted first reading by Council on October 28, 2019. A Public Hearing Date was set for November 25, 2019, providing an opportunity for those individuals who deem themselves affected by the proposed amendment to address council.*

*Administration confirmed that newspaper advertising for the Public Hearing was completed in accordance with Sec. 606 (2) of the MGA which requires notice of the bylaw to be published at least once per week, for two consecutive weeks in the local paper prior to the Public Hearing date.*

*Additionally, notices of the proposed bylaw were sent directly to external referral agencies and property owners within 60 metres of the property, providing an opportunity for those who may be affected to comment on the proposed rezoning. At the time of writing of this staff report, to Palliser's knowledge, there have been no objections or concerns made in regard to the proposed bylaw.*

*Recommendation:*

*Palliser Regional Municipal Services has no concerns with the proposed rezoning of the subject property as presented. Therefore, it is recommended Town Council approve Bylaw 12.19.*

Mayor Colberg asked the secretary if any written submissions were received – there were none.

Mayor Colberg asked for questions from Council:

Councillor Garbutt asked how the property got zoned as R-4 originally. D. Diano responded that Palliser Regional Municipal Services could not locate any background information to confirm this, but felt that perhaps at the time Council and the Municipal Planning Commission foresaw higher density for that area. D. Drohomerski advised that he understood it was rezoned because of the potential for a small apartment but the landowners never proceeded. Councillor Zariski asked for clarification of the bylaw under Section B (2). D. Diano responded that this section means that any decision made by the Development Officer when issuing a Certificate of Compliance is based solely on information contained in the Real Property Report provided by the surveyor; the Town has not conducted a property inspection.

**M2019.318** Lacher, Zariski moved to close the public hearing at **5:44 PM**.

Carried unanimously.

**90 PUBLIC HEARING DECISIONS**

**100 UNFINISHED BUSINESS**

**110 NOTICE OF MOTION**

**120 IN-CAMERA MATTERS**

**M2019.316** DeMott, Lacher moved to go into a Closed Meeting at **5:03 PM**.

120.1 Labour Matter - Designated Officer (*FOIPP Section 17 Personal Privacy*)

**M2019.317** Zariski, DeMott moved to revert back to a Public Meeting at **5:29 PM**.  
Carried unanimously.

**M2019.321** Garbutt, Hansen-Zacharuk moved to return to a Closed Meeting at **5:45 PM**.

Carried unanimously.

**M2019.322** Garbutt, DeMott moved to revert back to a Public Meeting at **7:15 PM**.

Carried unanimously.

60.1.5 Bylaw 15.19 Designated Resiliency and Flood Mitigation Office – Second and Third reading

**M2019.323** Garbutt, Hansen-Zacharuk moved to approve second reading of Bylaw 15.19 Designated Resiliency and Flood Mitigation Office. Friendly amendment Garbutt: under Program Secretariat change *V. attend and chair Advisory Committee Meetings and record the minutes of those meetings to:*

V.

- I. Establish an Advisory Committee which will become familiar with the DRM Program and its projects and initiatives and to provide input, comment and advice to the CRFM. It will include two members of Council, the Town CAO and members of the Town's management team (as needed) and the Town Solicitor. The Mayor would be an ex officio member of the Committee, and;
- II. The CRFM shall attend and chair Advisory Committee meetings and record the minutes of those meetings

Carried unanimously.

**M2019.324** Hansen-Zacharuk, Zariski moved to approve third reading of Bylaw 15.19 Designated Resiliency and Flood Mitigation Office.

Carried unanimously.

Councillor Garbutt stated that this bylaw is an important step forward in the Town's Flood Mitigation Project.

**M2019.325** Zariski, Lacher moved that Council appoint Darwin Durnie, principal of darwindurnie consulting corporation, as Chief Resiliency and Flood Mitigation Officer pursuant to Bylaw No. 15.19.

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Carried unanimously.

Councillor Zariski noted that Council has chosen a person as the Chief Resiliency and Flood Mitigation Officer who is capable, responsible and knows the valley and will do what is best for the community.

**M2019.326** DeMott, Hansen-Zacharuk moved to return to a Closed Meeting at **7:25 PM**.  
Carried unanimously.

120.2 Labour Matter - CAO Annual Performance Review (*FOIPP Section 17  
Personal Privacy*)

**M2019.327** Hansen-Zacharuk, Lacher moved to return to a Public Meeting at **7:58 PM**.  
Carried unanimously.

**130 ADJOURNMENT**

**M2019.328** DeMott, Lacher moved to adjourn the meeting at **7:59 PM**.



Chief Administrative Officer



Mayor



# DRUMHELLER

## RESILIENCY AND FLOOD MITIGATION OFFICE



### Report to Council

Meeting Date: Tuesday, November 12, 2019

Reference: 38/121.02

RE: Establishment of the Drumheller Resiliency and Flood Mitigation Program

#### RECOMMENDATION / ACTION:

1. That the Council of the Town of Drumheller give first reading to Bylaw 15.19 a bylaw to establish the Drumheller Resiliency and Flood Mitigation Office to implement the Drumheller Flood Mitigation and Climate Adaptation System, establish the position of Chief Resiliency and Flood Mitigation Officer and establish an Advisory Committee
2. That Council give Bylaw 15.19 second reading
3. That Council consent to the presentation of Bylaw 15.19 at this meeting
4. That Council give third and final reading to Bylaw 15.19
5. That Council appoint Darwin Durnie, principal of darwindurnie consulting corporation, as Chief Resiliency and Flood Mitigation Officer pursuant to Bylaw 15.19.

#### BACKGROUND:

Council has, in previous decisions, decided to move forward with the Drumheller Flood Mitigation and Climate Adaptation System (DRM Program), and has called for proposals to provide services as a Flood Mitigation and Climate Change Program Officer - 2019 - 2024 and has selected darwindurnie consulting corporation (ddcc) to provide those services.

This bylaw is presented to:

- formally establish the Drumheller Resiliency and Flood Mitigation Office (DRM Office),
- establish the formal position of Chief Resiliency and Flood Mitigation Officer (CRFM) and set out the authority, duties and responsibilities of this position, and
- establish an Advisory Committee.



## **DRM Office**

The bylaw establishes the DRM Office and sets out its mandate and responsibilities. These are detailed in Schedule A and reflect the intent and purpose of the DRM Program as previously adopted by Council and the services to be provided that were included in the Town's earlier request for services proposals.

The bylaw provides that the Town may undertake the duties of the DRM Office within the existing administration or engage a contracted services provider. In this case, Council has chosen to engage ddcc as your contracted services provider.

## **Chief Resiliency and Flood Mitigation Officer**

The bylaw goes on to establish the position of Chief Resiliency and Flood Mitigation Officer or CRFM. The DRM Program will be expansive and evolving and will consider a broad range of issues and impacts. The scope of this initiative, the activities and projects to be undertaken and the resources to be engaged will be significant and would place a burden on the Town's present management, administrative and operational resources. As your managers and staff are already busy with the ongoing operation of the Town, the implementation of the DRM Program would most effectively be undertaken by way of a separate and somewhat arms-length approach. The DRM Program would remain within the corporate and financial structure of the Town but would have a degree of independence and separate decision making authority from the rest of the Town's administrative structure.

The Bylaw proposes that the CRFM would have the authority of a chief administrative officer as set out under the *Municipal Government Act* with regards to the management, administration and operation of the DRM Office and implementation of the DRM Program. Council would continue retain authority over budget approval, policy adoption and purchasing decisions of a certain magnitude.

Under this arrangement the CRFM would report to Council and would relieve the Town's Chief Administrative Officer (CAO) of the need for extensive involvement with and for responsibility for the DRM Program. The CRFM has an obligation to collaborate with the CAO in implementing the DRM Program and the CAO would receive reports, would be part of an Advisory Committee and would have the opportunity to attend other meetings.

The Bylaw both in sections of the Bylaw and in Schedule A provides for the various obligations, responsibilities and duties of the CRFM. As the DRM Program will involve the potential acquisition of interests in lands, the Bylaw provides certain authority to the CRFM on land matters. As the Drumheller Land Corporation may be used in facilitating certain land transactions, the CRFM is also designated the manager of that corporation.

## **Advisory Committee**

The Bylaw establishes an Advisory Committee which will become familiar with the DRM Program and its projects and initiatives and to provide input, comment and advice to the CRFM. It will include a member of Council, the Town CAO and members of the Town's management team and the Town Solicitor. The Mayor would be an ex officio member of the Committee.

Other committees and technical teams may be formed as the Program proceeds.

### **Moving Forward**

In anticipation of this initiative, ddcc has assembled a management team and begun consideration of organizational and planning aspects of the DRM Program. To facilitate the start up of the DRM Program and allow it to move forward with its initiatives, Council is asked to consider all three readings of the Bylaw at this meeting and formally appoint Darwin Durnie as the Chief Resiliency and Flood Mitigation Officer.

### **ATTACHMENTS:**

- **Bylaw 15.19**

Prepared by:

Date: November 7, 2019