



TOWN OF DRUMHELLER
REGULAR COUNCIL MEETING

AGENDA

TIME & DATE: 4:30 PM – Monday January 8, 2024

LOCATION: Council Chambers, 224 Centre St and ZOOM Platform and Live Stream on Drumheller Valley YouTube Channel

1. CALL TO ORDER

2. OPENING COMMENTS

3. ADDITIONS TO THE AGENDA

4. ADOPTION OF AGENDA

4.1 Agenda for January 8, 2024 Regular Meeting

Proposed Motion: That Council adopt the agenda for the January 8, 2024 Regular Council meeting as presented.

5. MEETING MINUTES

5.1 Minutes for December 18, 2023 Regular Council as presented.

[Regular Council Meeting – December 18, 2023 - Minutes](#)

Proposed Motion:

Move that Council approve the minutes for the December 18, 2023, Regular Council meeting as presented.

COUNCIL BOARDS AND COMMITTEES

DELEGATION

6. REPORTS FROM ADMINISTRATION

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

6.1 Chief Administrative Officer

6.1.1 Request for Decision: Proposed Bylaw 02.24 Nacmine West End Road Closure

[Request for Decision + Bylaw 02.24](#)

Proposed Motion:

Move that Council give first reading to Bylaw 02.24 Nacmine West End Road Closure and set the Public Hearing date for February 5, 2024.

6.1.2 Request for Decision: Proposed Bylaw 03.24 Nacmine 4th St Road Closure

[Request for Decision +Bylaw 03.24](#)

Proposed Motion:

Move that Council give first reading to Bylaw 03.24 Nacmine 4th Street Road Closure and set the Public Hearing date for February 5, 2024.

6.1.3 Request for Decision: Proposed Bylaw 04.24 Nacmine 8th St Road Closure

[Request for Decision + Bylaw 04.24](#)

Proposed Motion:

Move that Council give first reading to Bylaw 04.24 Nacmine 8th Street Road Closure and set the Public Hearing date for February 5, 2024.

6.1.4 Request for Decision: Proposed Bylaw 05.24 Nacmine Hunter Dr Road Closure

[Request for Decision + Bylaw 05.24](#)

Proposed Motion:

Move that Council give first reading to Bylaw 05.24 Nacmine Hunter Drive Road Closure and set the Public Hearing date for February 5, 2024.

6.2 Flood Resiliency Project Director

6.2.1 Request for Decision: Tender Award - North Drumheller Flood Improvements; Engineering Construction Services Scope Change

[Request for Decision](#)

Proposed Motion:

Move that Council approve the North Drumheller Berm construction services be awarded to Kerr Wood Leidel through a scope change in the amount of \$1,044,810.00 excluding GST.

6.2.1 Request for Decision: Tender Award - North Drumheller Flood Improvements Construction

[Request for Decision](#)

Proposed Motion:

Move that Council award the North Drumheller Flood Improvements Project tender to Wilco Contractors Southwest Inc. in the amount of \$9,407,195.25 excluding GST.

CORPORATE AND COMMUNITY SERVICES DEPARTMENT

6.3 Director of Corporate and Community Services

[CLOSED SESSION](#)

6.3.1 Third Party Land Contracts, Personnel Evaluation, Economic Development

FOIP 19 – Confidential evaluations

FOIP 23 – Local public body confidences,

FOIP 24 – Advice from Officials

Proposed Motion:

That Council close the meeting to the public to discuss Third Party Land Contracts, Personnel Evaluations and Economic Development as per;

FOIP 16 – Disclosure harmful to business interests of a third party

FOIP 19 – Confidential evaluations

FOIP 23 – Local public body confidences,

FOIP 24 – Advice from Officials

Proposed Motion:

That Council open the meeting to the public.

EMERGENCY AND PROTECTIVE SERVICES

INFRASTRUCTURE DEPARTMENT

7. ADJOURNMENT

Proposed Motion: That Council adjourn the meeting.



TOWN OF DRUMHELLER
REGULAR COUNCIL MEETING

MINUTES

TIME & DATE: 4:30 PM – Monday December 18, 2023

LOCATION: Council Chambers, 224 Centre St and ZOOM Platform and
[Live Stream on Drumheller Valley YouTube Channel](#)

IN ATTENDANCE

Mayor Heather Colberg
Councillor Patrick Kolafa
Councillor Stephanie Price
Councillor Tony Lacher
Councillor Crystal Sereda
Councillor Lisa Hansen-Zacharuk
Councillor Tom Zariski

Chief Administrative Officer: Darryl Drohomerski
Director of Corporate & Community Services: Victoria Chan
Acting Director of Infrastructure: Kevin Blanchett
Dir. of Emergency and Protective Services: Greg Peters
Flood Mitigation Project Manager: Deighen Blakely
Communication Officer: Bret Crowle
Manager of Legislative Services: Denise Lines
Reality Bytes IT: David Vidal
Recording Secretary: Mitchell Visser

1. CALL TO ORDER

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

2. OPENING COMMENTS

Congratulations and thank you all the students and volunteers who helped with the 2024 Senior's Christmas Dinner.

Thank you to everyone who attended and supported the Rails to Trails 2nd Annual Community Christmas Party and thank you to the Rails to Trails Task Force and Donors who contributed to the success of the event.

Councillor Kolafa was sworn in as Deputy Mayor for the months of January and February, 2024.

3. ADDITIONS TO THE AGENDA

Deletion of 7.1.2 – Closed Session from the Agenda.

4. ADOPTION OF AGENDA

4.1 Agenda for December 18, 2023 Regular Meeting

M2023.338 Moved by Councillor Lacher, Councillor Kolafa
that Council adopt the agenda for the December 18, 2023 Regular Council Meeting as
amended

CARRIED UNANIMOUSLY

5. MEETING MINUTES

5.1 Minutes for December 4, 2023 Regular Council as presented.

Agenda Attachment: Regular Council Meeting – December 4, 2023 - Minutes

M2023.339 Moved by Councillor Price, Councilor Zariski
that Council approve the minutes for the December 4, 2023, Regular Council meeting
as presented.

CARRIED UNANIMOUSLY

6. COUNCIL BOARDS AND COMMITTEES

6.1 Request for Decision:
2024 Council Meeting Schedule

Agenda Attachment: Request for Decision

M2023.340 Moved by Councillor Hansen-Zacharuk, Councillor Kolafa
that Council Approve the 2024 Council Meeting Schedule, as presented.

CARRIED UNANIMOUSLY

6.2 Request for Decision:
Mid-Size Towns Mayor's Caucus

Agenda Attachment: Request for Decision

M2023.341 Moved by Councillor Price, Councillor Hansen-Zacharuk
that Council approves that the Mayor of the Town of Drumheller continue to
participate in the initiative to explore the creation of a Mid-Size Towns Mayor Caucus.

CARRIED UNANIMOUSLY

DELEGATION

7. REPORTS FROM ADMINISTRATION

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

7.1 Chief Administrative Officer

7.1.1 Request for Decision: Grove Plaza MR Bylaw Second and Third Reading

Agenda Attachment: Request for Decision

M2023.342 Moved by Councilor Zariski, Councillor Lacher
That Council gives second reading of North Drumheller Berm 'C' Grove Plaza – MR
Removal Bylaw 10.23 as presented.

CARRIED UNANIMOUSLY

M2023.343 Moved by Councillor Kolafa, Councillor Hansen-Zacharuk
That Council gives third reading of North Drumheller Berm 'C' Grove Plaza – MR
Removal Bylaw 10.23 as presented.

CARRIED UNANIMOUSLY

7.2 Flood Resiliency Project Director Timestamp: [10:24](#)

7.2.1 Request for Decision: Resolution for Expropriation and Notice of Intention to Expropriate a Partial Parcel for Berm Construction affecting Plan 9410208, Lot 1 (760 2 Avenue, Nacmine)

Agenda Attachment: Request for Decision, Resolution to Expropriate, Notice of Intention to
Expropriate, Parcel Map – Schedule 'A'

M2023.344 Moved by Councillor Sereda, Councillor Lacher
that Council approve the Resolution for Expropriation and Notice of Intention to
Expropriate pertaining to a portion of land described as Plan 9410208, Lot 1; Title
Number 011 248 557.

CARRIED UNANIMOUSLY

CORPORATE AND COMMUNITY SERVICES DEPARTMENT

7.3 Director of Corporate and Community Services
Timestamp: [14:32](#)

7.3.1 Request for Direction: 2024 Capital Utilities Budget

Agenda Attachment: Request for Direction; 2024 Capital Budget

M2023.345 Moved by Councillor Lacher, Councillor Hansen-Zacharuk
that Council Approves the 2024 Capital Budget as presented in the 10 Year Capital
Plan.

CARRIED UNANIMOUSLY

7.4.2 Request for Direction: Proposed 2024 Utility Bylaw 12.23 – Third Reading

Agenda Attachment: Request for Direction

M2023.346 Moved by Councillor Sereda, Councillor Lacher
that Council give third reading to 2024 Utility Rate Bylaw 12.23 as
presented.

CARRIED UNANIMOUSLY

EMERGENCY AND PROTECTIVE SERVICES

7.5 Director of Emergency and Protective Service
Timestamp: [25:30](#)

7.5.1 Briefing Note: Paid Parking Pilot Review

Agenda Attachment: Briefing Note

INFRASTRUCTURE DEPARTMENT

7.6 Acting Director of Infrastructure
Timestamp: [1:10:38](#)

7.6.1 Request for Decision: Tender Award – New Rubber Tired Wheel Loader

Agenda Attachment: Request for Decision

- M2023.347 Moved by Councillor Lacher, Councillor Kolafa
That Council award the Request-for-Tender #2023-036-04 Supply and Delivery of a New Rubber Tired Wheel Loader to Strongco for the total price of \$ 306,200.00, excluding GST.

CARRIED UNANIMOUSLY

7.6.2 Request for Decision: Tender Award Badlands Community Facility Janitorial Services 2024 - 2027

Agenda Attachment: Request for Decision

- M2023.348 Moved by Councilor Zariski, Councillor Sereda
That Council award the Badlands Community Facility Janitorial Services 2024-2027 contract to Best Service Pros Ltd. for the total cost of \$ 606,303.71 excluding GST.

6 IN FAVOUR: Colberg, Sereda, Kolafa, Zariski, Lacher, Hansen-Zacharuk
1 OPPOSED: Price

CARRIED

8. CLOSED SESSION

- 8.1 Strategic Development and Planning
FOIP 23 – Local public body confidences
FOIP 24 – Advice from Officials
FOIP 25 – Disclosure harmful to economic and other interests of a public body

- M2023.349 Moved by Councilor Zariski, Councillor Hansen-Zacharuk
That Council close the meeting to the public to discuss Strategic Development and Planning as per FOIP 23 – Local public body confidences, FOIP 24 – Advice from Officials and FOIP 25 – Disclosure harmful to economic and other interests of a public body.

CARRIED UNANIMOUSLY

Council closed the meeting to the public at 5:57 PM

M2023.350 Moved by Councillor Lacher, Councillor Sereda
That Council open the meeting to the public.

CARRIED UNANIMOUSLY

Council opened the meeting to the public at 9:10 PM

9. ADJOURNMENT

M2023.351 Moved by Councilor Zariski, Councillor Hansen-Zacharuk
That Council adjourn the meeting.

CARRIED UNANIMOUSLY

Council adjourned the meeting at 9:12 PM

REQUEST FOR DECISION

TITLE:	Proposed Nacmine Road Closure Bylaw 02.24
DATE:	December 28, 2023
PRESENTED BY:	Darryl Drohomerski, C.E.T., CAO
ATTACHMENT:	Bylaw 02.24; Schedule 1

SUMMARY:

As part of the Town's Flood Mitigation Project and provincial funding agreement, the Province is requiring the Town of Drumheller own the land that current or proposed berms will be placed, including those berms that currently or would sit on Public road rights-of-way. A portion of these rights-of-way need to be closed for the construction of the new berms. This Bylaw deals with closing a portion of the right of way at the northwest corner of the intersection of 1st Street and 3rd Avenue in Nacmine to facilitate berm placement.

RECOMMENDATION:

That Council gives first reading to Nacmine Road Closure Bylaw 02.24 and sets the Public Hearing date for February 5, 2024.

DISCUSSION:

Under the funding agreement between the Town and Alberta Environment, the construction of any new berms shall be placed on land owned by the Town of Drumheller, including any road rights of way. This road closure bylaw will accomplish that task for the Nacmine Berm that cuts diagonally across the northwest corner of the intersection of 1st Street and 3rd Avenue at the west end of Nacmine. This closure will not impact any pavement at this intersection.

There is a difference between a right of way and a road. A road is the surface that is contained within the right of way and is generally 7-9 meters wide. A right of way is a legal entity under the ownership of the Province and varies from 6 meters (for an alley) to 20-40 meters for a street or avenue. Many rights of way, at least in Drumheller area, may not have a road contained within the boundary.

These portions of road closures are necessary to wrap the berm around, and protect, the properties in the west end of Nacmine that are below the Provincial 1:100 Flood Elevation.

The lands where the berm is being placed will be converted into Public Utility Lot to align with the other land in the valley that berms currently or will reside upon.

FINANCIAL IMPACT:

The costs to convert this land are included with the Flood Mitigation project and is a requirement of the provincial funding agreement.

STRATEGIC POLICY ALIGNMENT:

Flood Mitigation is the key strategic priority of this Council and Administration.

COMMUNICATION STRATEGY:

A notice of the proposed Road Closure and Public hearing will be provided via;

- Newspaper ads in the Drumheller Mail will run on January 24 and 31
- Letters to properties in the adjacent area will be mailed out by January 19
- Posting on the Town Website, DrumhellerOnline Community Events Page.

MOTION:

That Council give first reading to Bylaw 02.24 Nacmine West End Road Closure and set the Public Hearing date for February 5, 2024.

SECONDED:

Prepared By:



Darryl Drohomerski, C.E.T.
Chief Administrative Officer

Reviewed By:

Denise Lines

Denise Lines
Legislative Services

Approved By:



Darryl Drohomerski, C.E.T.
Chief Administrative Officer

TOWN OF DRUMHELLER
BYLAW NUMBER 02.24
DEPARTMENT: FLOOD MITIGATION / DEVELOPMENT

Nacmine East End Rd Closure

THIS IS A BYLAW of the TOWN OF DRUMHELLER, in the Province of Alberta for the purpose of closing a portion of a Public Street as depicted on:

SCHEDULE – 1 AREA – ‘A’

being portions of 1st. Street and 3rd. Avenue created by Plan 7125 D.D.

all within the North West Quarter of Section 8 in Township 29, Range 20, West of the 4th. Meridian

to public travel and acquiring title to these lands in the name of the TOWN OF DRUMHELLER pursuant to Sections 22 and 23 of the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended.

WHEREAS; the Town of Drumheller, the Province of Alberta and the Government of Canada have entered into an agreement to construct flood mitigation berms along portions of the Red Deer River in the Town of Drumheller to protect properties and the citizens of Drumheller from the ravages of flood waters, and

WHEREAS; it has been found that construction of flood mitigation berms in the subject areas is impossible without encroaching upon and using part of the adjacent public streets, and

WHEREAS; the proposed new flood mitigation berms will continue to occupy the area depicted on Schedule 1, and

WHEREAS; the parties hereto have agreed that land used for berm construction must be in the name of the Town of Drumheller, and

WHEREAS; the Council of the Town of Drumheller is satisfied that this activity is in the best public interest, and no one will be adversely affected by this road closure By-Law; and

WHEREAS; a notice of this Street closure was published in the Drumheller Mail once a week for two consecutive weeks; on _____ and again on _____ the last of such publications being at least five days before the day fixed for the passing of this Bylaw; and

WHEREAS; the Council of the Town of Drumheller held a public hearing on the 5th day of February 2024 at their regular or special meeting of Council in which all interested parties were provided an opportunity to be heard;

NOW THEREFORE; be it resolved that the COUNCIL of the TOWN OF DRUMHELLER, in the Province of Alberta does hereby enact to close that portion of the intersection of 1st. Street and 3rd. Avenue shown depicted on the attached Schedule – 1, which is more particularly described as:

PLAN

AREA – ‘A’
EXCEPTING THEREOUT ALL MINES AND MINERALS

SHORT TITLE

This Bylaw may be cited as Nacmine East End Rd Closure

TRANSITIONAL

This Bylaw takes effect on the day of the third and final reading.

READ AND PASSED THE FIRST TIME BY THE COUNCIL OF THE TOWN DRUMHELLER.
this day of 2024.

MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

DARRYL E. DROHOMERSKI, C.E.T.
CHIEF ADMINISTRATIVE OFFICER

APPROVED BY: ALBERTA INFRASTRUCTURE and ECONOMIC CORRIDORS

Seal

MINISTER OF ALBERTA INFRASTRUCTURE AND ECONOMIC CORRIDORS

ROOM 425, LEGISLATIVE BUILDING,
10800 97TH. AVENUE, EDMONTON, ALBERTA. T5K 2B6

READ AND PASSED THE SECOND TIME BY THE COUNCIL OF THE TOWN OF
DRUMHELLER.

this day of 2024.

MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

DARRYL E. DROHOMERSKI, C.E.T.
CHIEF ADMINISTRATIVE OFFICER

READ AND PASSED THE THIRD TIME BY THE COUNCIL OF THE TOWN DRUMHELLER.
this day of 2024.

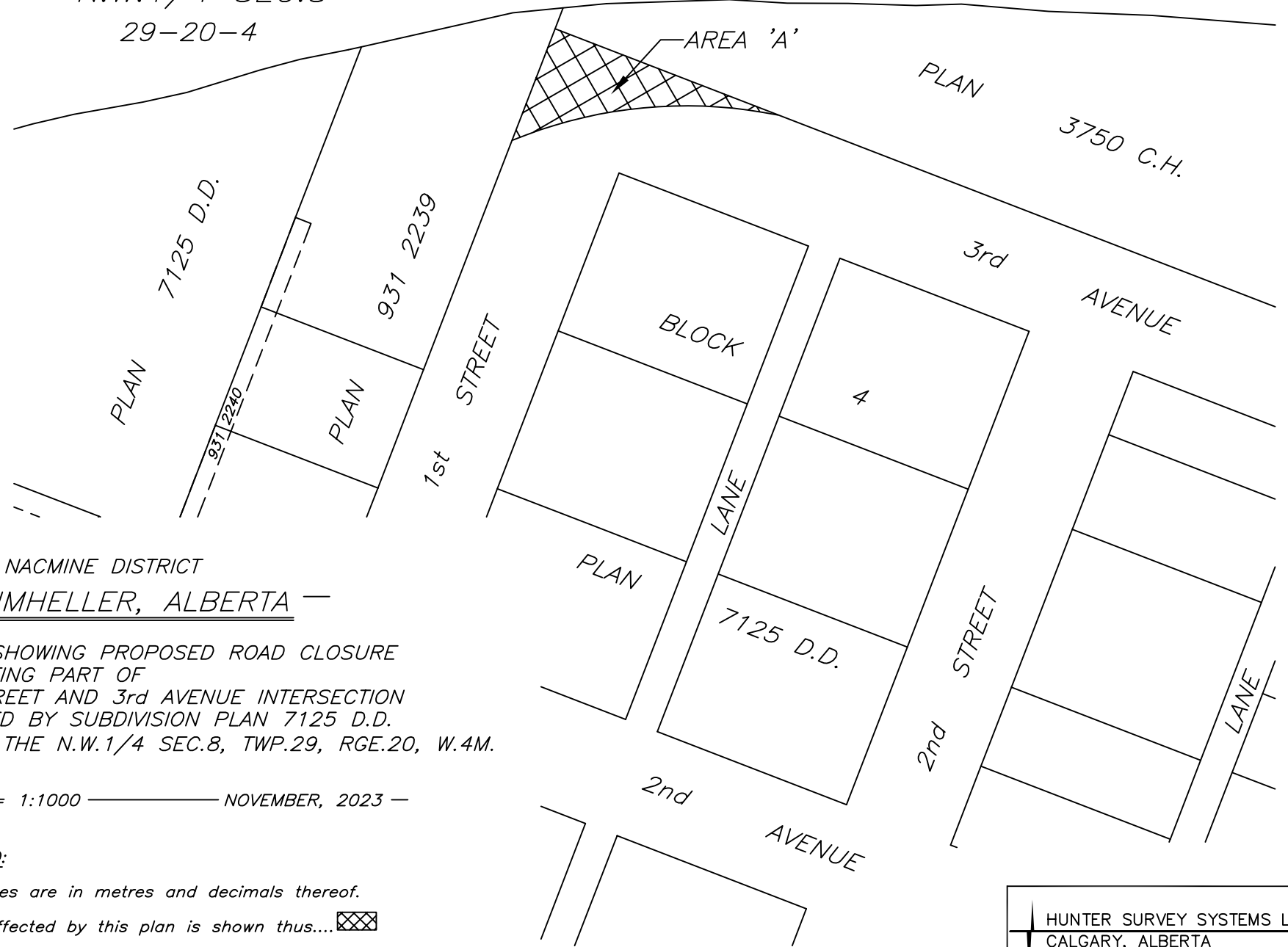
MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

DARRYL E. DROHOMERSKI, C.E.T.
CHIEF ADMINISTRATIVE OFFICER

draft - first reading - 2024jan8

N.W. 1/4 SEC.8
29-20-4



NACMINE DISTRICT

— DRUMHELLER, ALBERTA —


PLAN SHOWING PROPOSED ROAD CLOSURE
AFFECTING PART OF
1st STREET AND 3rd AVENUE INTERSECTION
CREATED BY SUBDIVISION PLAN 7125 D.D.
WITHIN THE N.W.1/4 SEC.8, TWP.29, RGE.20, W.4M.

— SCALE= 1:1000 — NOVEMBER, 2023 —

LEGEND:

Distances are in metres and decimals thereof.

Area affected by this plan is shown thus... 

	HUNTER SURVEY SYSTEMS LTD.
	CALGARY, ALBERTA
	FILE: 20-035-ARC-16 of 39

REQUEST FOR DECISION

TITLE:	Proposed Nacmine 4 th Street Road Closure Bylaw 03.24
DATE:	December 28, 2023
PRESENTED BY:	Darryl Drohomerski, C.E.T., CAO
ATTACHMENT:	Bylaw 03.24; Schedule 1

SUMMARY:

As part of the Town's Flood Mitigation Project and provincial funding agreement, the Province is requiring the Town of Drumheller own the land that current or proposed berms will be placed, including those berms that currently or would sit on Public road rights-of-way. A portion of these rights-of-way need to be closed for the construction of the new berms. This Bylaw deals with closing the entire right of way immediately adjacent to the Red Deer River between 3rd Street and 5th Street to facilitate berm placement. For clarity with the other road closures in Nacmine, Administration is calling this the 4th Street Road Closure as that street is the mid-point of the two ends of this defined boundary.

RECOMMENDATION:

That Council gives first reading to Nacmine 4th Street Road Closure Bylaw 03.24 and sets the Public Hearing date for Monday February 5, 2024.

DISCUSSION:

Under the funding agreement between the Town and Alberta Environment, the construction of any new berms shall be placed on land owned by the Town of Drumheller, including any road rights of way. This road closure bylaw will accomplish that task for the Nacmine Berm that runs parallel to the Red Deer River between 3rd Street and 5th Street at the west end of Nacmine. This land is located immediately north of 284 3rd Street, 281 4th Street, 360 4th Street, 435 3rd Avenue and 463rd 3 Avenue and this land has always been a public road right of way.

There is a difference between a right of way and a road. A road is the surface that is contained within the right of way and is generally 7-9 meters wide. A right of way is a legal entity under the ownership of the Province and varies from 6 meters (for an alley) to 20-40 meters for a street or avenue. Many rights of way, at least in Drumheller area, may not have a road contained within the boundary, as in this case. In the case of rights of way adjacent to the Red Deer River, the right of way extends to the water's edge as shown in the attached drawing.

These portions of road closures are necessary to wrap the berm around, and protect, properties in Nacmine that are below the Provincial 1:100 Flood Elevation.

The lands where the berm is being placed will be converted into Public Utility Lot to align with the other land in the valley that berms currently or will reside upon.

FINANCIAL IMPACT:

The costs to convert this land are included with the Flood Mitigation project and is a requirement of the provincial funding agreement.

STRATEGIC POLICY ALIGNMENT:

Flood Mitigation is the key strategic priority of this Council and Administration.

COMMUNICATION STRATEGY:

A notice of the proposed Road Closure and Public hearing will be provided via;

- Newspaper ads in the Drumheller Mail will run on January 24 and 31.
- Letters to properties in the adjacent area will be mailed out by January 19
- Posting on the Town Website, DrumhellerOnline Community Events Page.

MOTION:

That Council give first reading to Bylaw 03.24 Nacmine 4th Street Road Closure and set the Public Hearing date for February 5, 2024.

SECONDED:

Prepared By:



Darryl Drohomerski, C.E.T.
Chief Administrative Officer

Reviewed By:

Denise Lines

Denise Lines
Legislative Services

Approved By:



Darryl Drohomerski, C.E.T.
Chief Administrative Officer

TOWN OF DRUMHELLER
BYLAW NUMBER 03.24
DEPARTMENT: FLOOD MITIGATION / DEVELOPMENT

Nacmine 4th St; Road Closure

THIS IS A BYLAW of the TOWN OF DRUMHELLER, in the Province of Alberta for the purpose of closing undeveloped Public Streets as depicted on:

SCHEDULE – 1 AREAS – ‘A’ and ‘B’

being portions of Unnamed Streets created by Plans 7935 E.M. and 4491 F.A.

all within the North West Quarter of Section 8 in Township 29, Range 20, West of the 4th. Meridian

to public travel and acquiring title to these lands in the name of the TOWN OF DRUMHELLER pursuant to Sections 22 and 23 of the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended.

WHEREAS; the Town of Drumheller, the Province of Alberta and the Government of Canada have entered into an agreement to construct flood mitigation berms along portions of the Red Deer River in the Town of Drumheller to protect properties and the citizens of Drumheller from the ravages of flood waters, and

WHEREAS; it has been found that construction of flood mitigation berms in the subject areas is impossible without encroaching upon and using parts of the undeveloped public streets, and

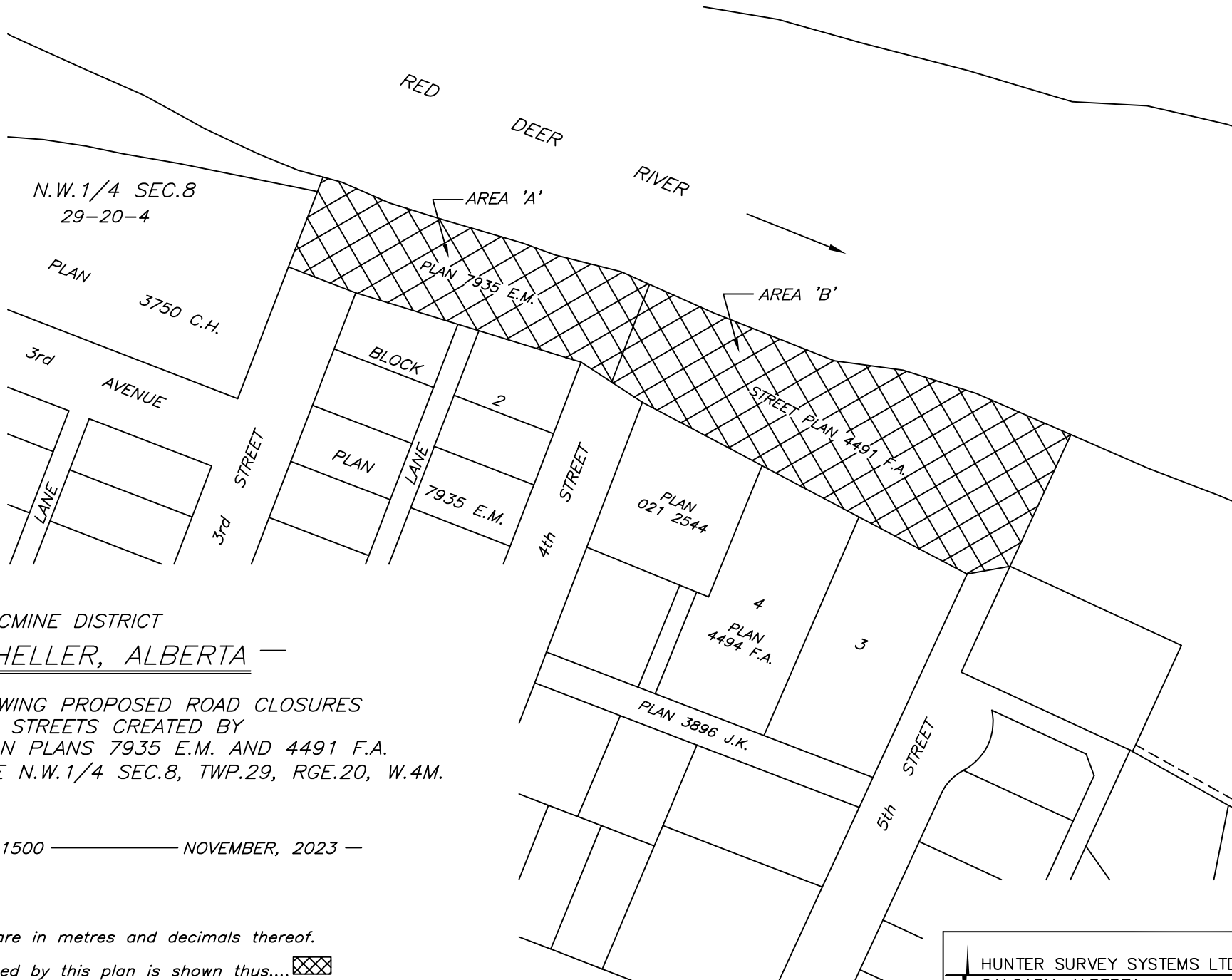
WHEREAS; the proposed new flood mitigation berms will continue to occupy the area depicted on Schedule 1, and

WHEREAS; the parties hereto have agreed that land used for berm construction must be in the name of the Town of Drumheller, and

WHEREAS; the Council of the Town of Drumheller is satisfied that this activity is in the best public interest, and no one will be adversely affected by this road closure Bylaw; and

WHEREAS; a notice of this Street closure was published in the Drumheller Mail once a week for two consecutive weeks; on _____ and again on _____ the last of such publications being at least five days before the day fixed for the passing of this Bylaw; and

WHEREAS; the Council of the Town of Drumheller held a public hearing on the 5th day of February 2024 at their regular or special meeting of Council in which all interested parties were provided an opportunity to be heard;



NACMINE DISTRICT

DRUMHELLER, ALBERTA

PLAN SHOWING PROPOSED ROAD CLOSURES
AFFECTING STREETS CREATED BY
SUBDIVISION PLANS 7935 E.M. AND 4491 F.A.
WITHIN THE N.W.1/4 SEC.8, TWP.29, RGE.20, W.4M.

—SCALE= 1:1500 ————— NOVEMBER, 2023 —

LEGEND:

Distances are in metres and decimals thereof.

Area affected by this plan is shown thus... 

HUNTER SURVEY SYSTEMS LTD.
 CALGARY, ALBERTA
 FILE: 20-035-ARC2839

REQUEST FOR DECISION

TITLE:	Proposed Nacmine 8 th Street Road Closure Bylaw 04.24
DATE:	December 29, 2023
PRESENTED BY:	Darryl Drohomerski, C.E.T., CAO
ATTACHMENT:	Bylaw 04.24; Schedule 1

SUMMARY:

As part of the Town's Flood Mitigation Project and provincial funding agreement, the Province is requiring the Town of Drumheller own the land that current or proposed berms will be placed, including those berms that currently or would sit on Public road rights-of-way. A portion of these rights-of-way need to be closed for the construction of the new berms. This Bylaw deals with closing the right of way of 8th Street between the Red Deer River and 2nd Avenue to facilitate berm placement at the north end of the right of way.

RECOMMENDATION:

That Council gives first reading to Nacmine 8th Street Road Closure Bylaw 04.24 and sets the Public Hearing date for February 5, 2024.

DISCUSSION:

Under the funding agreement between the Town and Alberta Environment, the construction of any new berms shall be placed on land owned by the Town of Drumheller, including any road rights of way. This road closure bylaw will accomplish that task for the Nacmine Berm that runs perpendicular to 8th Street. This land is located adjacent to 215 8th Street and 810 2nd Avenue.

The landowners at these two addresses have several items, including structures, that encroach on the public right of way. Instead of requiring their removal, part of this road closure will attempt to clean up these encroachments by selling the land to the property owners that is not needed for the berm construction. Initial discussions have commenced between the town and landowners but are not yet completed.

There is a difference between a right of way and a road. A road is the surface that is contained within the right of way and is generally 7-9 meters wide. A right of way is a legal entity under the ownership of the Province and varies from 6 meters (for an alley) to 20-40 meters for a street or avenue. Many rights of way, at least in Drumheller area, may not have a road contained within the boundary, as in this case.

These portions of road closures are necessary to wrap the berm around, and protect, properties in Nacmine that are below the Provincial 1:100 Flood Elevation.

The lands where the berm is being placed will be converted into Public Utility Lot to align with the other land in the valley that berms currently or will reside upon.

FINANCIAL IMPACT:

The costs to convert this land are included with the Flood Mitigation project and is a requirement of the provincial funding agreement.

STRATEGIC POLICY ALIGNMENT:

Flood Mitigation is the key strategic priority of this Council and Administration.

COMMUNICATION STRATEGY:

A notice of the proposed Road Closure and Public hearing will be provided via;

- Newspaper ads in the Drumheller Mail will run on January 24 and 31.
- Letters to properties in the adjacent area will be mailed out by January 19
- Posting on the Town Website, DrumhellerOnline Community Events Page.

MOTION:

That Council give first reading to Bylaw 04.24 Nacmine 8th Street Road Closure and set the Public Hearing date for February 5, 2024.

SECONDED:

Prepared By:



Darryl Drohomerski, C.E.T.
Chief Administrative Officer

Reviewed By:

Denise Lines

Denise Lines
Legislative Services

Approved By:



Darryl Drohomerski, C.E.T.
Chief Administrative Officer

TOWN OF DRUMHELLER
BYLAW NUMBER 04.24
DEPARTMENT: FLOOD MITIGATION / DEVELOPMENT

Nacmine 8th St; Road Closure

THIS IS A BYLAW of the TOWN OF DRUMHELLER, in the Province of Alberta for the purpose of closing portions of an undeveloped Public Street as depicted on:

SCHEDULE – 1 AREA – ‘A’

being portions of Roadway (now 8th. Street) created by Plans 1622 F.B. and 865 F.G.

all within the North West Quarter of Section 8 in Township 29, Range 20,
West of the 4th. Meridian

to public travel and acquiring title to these lands in the name of the TOWN OF DRUMHELLER pursuant to Sections 22 and 23 of the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended.

WHEREAS; the Town of Drumheller, the Province of Alberta and the Government of Canada have entered into an agreement to construct flood mitigation berms along portions of the Red Deer River in the Town of Drumheller to protect properties and the citizens of Drumheller from the ravages of flood waters, and

WHEREAS; it has been found that construction of flood mitigation berms in the subject areas is impossible without encroaching upon and using part of the undeveloped public streets, and

WHEREAS; the proposed new flood mitigation berms will continue to occupy the area depicted on Schedule 1, and

WHEREAS; the parties hereto have agreed that land used for berm construction must be in the name of the Town of Drumheller, and

WHEREAS; the Council of the Town of Drumheller is satisfied that this activity is in the best public interest, and no one will be adversely affected by this road closure Bylaw; and

WHEREAS; a notice of this Street closure was published in the Drumheller Mail once a week for two consecutive weeks; on _____ and again on _____ the last of such publications being at least five days before the day fixed for the passing of this Bylaw; and

WHEREAS; the Council of the Town of Drumheller held a public hearing on the 29th day of January 2024 at their regular or special meeting of Council in which all interested parties were provided an opportunity to be heard;

NOW THEREFORE; be it resolved that the COUNCIL of the TOWN OF DRUMHELLER, in the Province of Alberta does hereby enact to close a portion of the undeveloped Roadway (now 8th Street) shown depicted on the attached Schedule – 1, which is more particularly described as:

PLAN

AREA – ‘A’
EXCEPTING THEREOUT ALL MINES AND MINERALS

SHORT TITLE

This Bylaw may be cited as Nacmine 8th Street; Road Closure

TRANSITIONAL

This Bylaw takes effect on the day of the third and final reading.

READ AND PASSED THE FIRST TIME BY THE COUNCIL OF THE TOWN DRUMHELLER.

this day of 2024.

MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

DARRYL E. DROHOMERSKI, C.E.T.
CHIEF ADMINISTRATIVE OFFICER

APPROVED BY: ALBERTA INFRASTRUCTURE and ECONOMIC CORRIDORS

Seal

MINISTER OF ALBERTA INFRASTRUCTURE AND ECONOMIC CORRIDORS

ROOM 425, LEGISLATIVE BUILDING,
10800 97TH. AVENUE, EDMONTON, ALBERTA. T5K 2B6

READ AND PASSED THE SECOND TIME BY THE COUNCIL OF THE TOWN OF
DRUMHELLER.
this day of 2024.

MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

DARRYL E. DROHOMERSKI, C.E.T.
CHIEF ADMINISTRATIVE OFFICER

READ AND PASSED THE THIRD TIME BY THE COUNCIL OF THE TOWN DRUMHELLER.
this day of 2024.

MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

DARRYL E. DROHOMERSKI, C.E.T.
CHIEF ADMINISTRATIVE OFFICER

draft - first reading - 2024 Jan 8

N.E. 1/4 SEC. 8

29-20-4



LOT 2

LOT 1

PLAN 941 0208

LOT 5
PLAN 865 F.G.

RED
DEER
RIVER

RIVER

AREA 'A'

2nd

AVENUE

ROADWAY PLAN 865 F.G.
ROADWAY PLAN 1622 F.B.

LOT 4
PLAN 1622 F.B.

NACMINE DISTRICT

DRUMHELLER, ALBERTA

PLAN SHOWING PROPOSED ROAD CLOSURES
AFFECTING PART OF
UNDEVELOPED ROADWAYS (8th STREET) CREATED
BY SUBDIVISION PLANS 865 F.G. AND 1622 F.B.
WITHIN THE N.E.1/4 SEC.8, TWP.29, RGE.20, W.4M.

—SCALE= 1:1000 — NOVEMBER, 2023 —


LEGEND:

Distances are in metres and decimals thereof.

Area affected by this plan is shown thus... 

8th STREET

9th STREET

	HUNTER SURVEY SYSTEMS LTD.
	CALGARY, ALBERTA
	FILE: 20-035-ARC288539

REQUEST FOR DECISION

TITLE:	Proposed Nacmine Hunter Drive Road Closure Bylaw 05.24
DATE:	December 29, 2023
PRESENTED BY:	Darryl Drohomerski, C.E.T., CAO
ATTACHMENT:	Bylaw 05.24; Schedule 1

SUMMARY:

As part of the Town's Flood Mitigation Project and provincial funding agreement, the Province is requiring the Town of Drumheller own the land that current or proposed berms will be placed, including those berms that currently or would sit on Public road rights-of-way. A portion of these rights-of-way need to be closed for the construction of the new berms. This Bylaw deals with closing the right of way of Hunter Drive east of 958 Hunter Drive (Nacmine sanitary lift station) to facilitate berm placement across the right of way that will tie into Highway 575 to protect the properties at the east end of Nacmine.

RECOMMENDATION:

That Council gives first reading to Nacmine Hunter Drive Road Closure Bylaw 05.24 and sets the Public Hearing date for February 5, 2024.

DISCUSSION:

Under the funding agreement between the Town and Alberta Environment, the construction of any new berms shall be placed on land owned by the Town of Drumheller, including any road rights of way. This road closure bylaw will accomplish that task for the Nacmine Berm across Hunter Drive to protect the east end of Nacmine.

A new cul-de-sac right of way and road will be created adjacent to 958 Hunter Drive to allow vehicles travelling east bound from 9th Street to turn around and return west bound. The remaining right of way including pavement and the eastern-most access to Hunter Drive will be removed and the area will be landscaped including the restoration of the active transportation trail that currently exists along this portion of Hunter Drive.

There is a difference between a right of way and a road. A road is the surface that is contained within the right of way and is generally 7-9 meters wide. A right of way is a legal entity under the ownership of the Province and varies from 6 meters (for an alley) to 20-40 meters for a street or avenue.

These portions of road closures are necessary to wrap the berm around, and protect, properties in Nacmine that are below the Provincial 1:100 Flood Elevation.

The lands where the berm is being placed will be converted into Public Utility Lot to align with the other land in the valley that berms currently or will reside upon. The remaining lands will also be changed to a Public Utility Lot as there are underground utilities that traverse this area.

FINANCIAL IMPACT:

The costs to convert this land are included with the Flood Mitigation project and is a requirement of the provincial funding agreement.

STRATEGIC POLICY ALIGNMENT:

Flood Mitigation is the key strategic priority of this Council and Administration.

COMMUNICATION STRATEGY:

A notice of the proposed Road Closure and Public hearing will be provided via;

- Newspaper ads in the Drumheller Mail will run on January 24 and 31.
- Letters to properties in the adjacent area will be mailed out by January 19
- Posting on the Town Website, DrumhellerOnline Community Events Page.

MOTION:

That Council give first reading to Bylaw 05.24 Nacmine Hunter Drive Road Closure and set the Public Hearing date for February 5, 2024.

SECONDED:

Prepared By:



Darryl Drohomerski, C.E.T.
Chief Administrative Officer

Reviewed By:

Denise Lines

Denise Lines
Legislative Services

Approved By:



Darryl Drohomerski, C.E.T.
Chief Administrative Officer

TOWN OF DRUMHELLER
BYLAW NUMBER 05.24
DEPARTMENT: FLOOD MITIGATION / DEVELOPMENT

Nacmine Hunter Dr; Road Closure

THIS IS A BYLAW of the TOWN OF DRUMHELLER, in the Province of Alberta for the purpose of closing portions of a developed road and road allowance including an existing approach onto the adjacent South Dinosaur Trail as depicted on:

SCHEDULE – 1 AREA – ‘A’

being portions of Hunter Drive created by Road Plan 453 B.M. and Original Road Allowance created by the Original Township Plan all within the South East Quarter of Section 8 and the South West Quarter of Section 9 and the intervening road allowance in Township 29, Range 20, West of the 4th Meridian

to public travel and acquiring title to these lands in the name of the TOWN OF DRUMHELLER pursuant to Sections 22 and 23 of the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended.

WHEREAS; the Town of Drumheller has acquired lands adjacent to the lands depicted on Schedule – ‘A’ as part of a flood mitigation project and thus eliminating the need for public street access to the lands adjacent, and

WHEREAS; the Town of Drumheller finds the six properties east of 9th. Street can be adequately served from the existing 9th. Street approach onto the South Dinosaur Trail with a new cul-de-sac to be constructed at the east end of Hunter Drive, and

WHEREAS; the Town of Drumheller takes this opportunity to eliminate a rather dangerous approach to the adjacent South Dinosaur Trail, and

WHEREAS; the Council of the Town of Drumheller is satisfied that this activity is in the best public interest, and no one will be adversely affected by this road closure Bylaw; and

WHEREAS; a notice of this Street closure was published in the Drumheller Mail once a week for two consecutive weeks; on _____ and again on _____ the last of such publications being at least five days before the day fixed for the passing of this Bylaw; and

WHEREAS; the Council of the Town of Drumheller held a public hearing on the 29th day of January 2024 at their regular or special meeting of Council in which all interested parties were provided an opportunity to be heard;

NOW THEREFORE; be it resolved that the COUNCIL of the TOWN OF DRUMHELLER, in the Province of Alberta does hereby enact to close portions of Hunter Drive created by Road Plan 453 B.M. and Original Road Allowance created by the Original Township Plan as shown depicted on the attached Schedule – 1, which is more particularly described as:

PLAN

AREA – ‘A’

EXCEPTING THEREOUT ALL MINES AND MINERALS

SHORT TITLE

This Bylaw may be cited as Nacmine Hunter Drive; Road Closure

TRANSITIONAL

This Bylaw takes effect on the day of the third and final reading.

READ AND PASSED THE FIRST TIME BY THE COUNCIL OF THE TOWN DRUMHELLER.
this day of 2024.

MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

DARRYL E. DROHOMERSKI, C.E.T.
CHIEF ADMINISTRATIVE OFFICER

APPROVED BY: ALBERTA INFRASTRUCTURE and ECONOMIC CORRIDORS

Seal

MINISTER OF ALBERTA INFRASTRUCTURE AND ECONOMIC CORRIDORS
ROOM 425, LEGISLATIVE BUILDING,
10800 97TH. AVENUE, EDMONTON, ALBERTA. T5K 2B6

READ AND PASSED THE SECOND TIME BY THE COUNCIL OF THE TOWN OF DRUMHELLER.

this day of 2024.

MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

DARRYL E. DROHOMERSKI, C.E.T.
CHIEF ADMINISTRATIVE OFFICER

READ AND PASSED THE THIRD TIME BY THE COUNCIL OF THE TOWN DRUMHELLER.

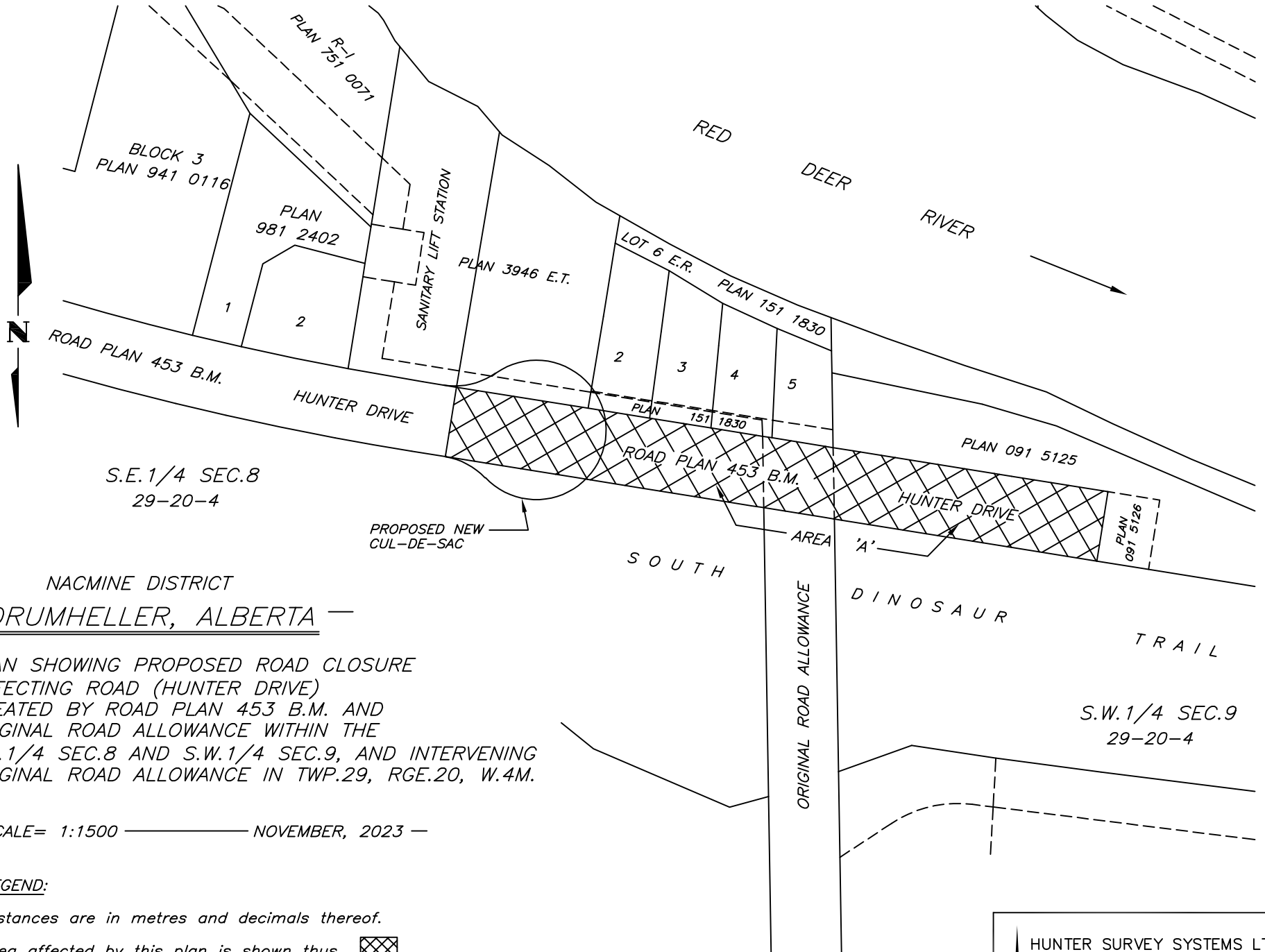
this day of 2024.

MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

DARRYL E. DROHOMERSKI, C.E.T.
CHIEF ADMINISTRATIVE OFFICER

draft - first reading - 2024Jan4




NACMINE DISTRICT
— DRUMHELLER, ALBERTA —

PLAN SHOWING PROPOSED ROAD CLOSURE
 AFFECTING ROAD (HUNTER DRIVE)
 CREATED BY ROAD PLAN 453 B.M. AND
 ORIGINAL ROAD ALLOWANCE WITHIN THE
 S.E.1/4 SEC.8 AND S.W.1/4 SEC.9, AND INTERVENING
 ORIGINAL ROAD ALLOWANCE IN TWP.29, RGE.20, W.4M.

— SCALE= 1:1500 — NOVEMBER, 2023 —

LEGEND:

Distances are in metres and decimals thereof.
 Area affected by this plan is shown thus... 

HUNTER SURVEY SYSTEMS LTD.
 CALGARY, ALBERTA
 FILE: 20-035-1163-6 of 39

REQUEST FOR DECISION

TITLE:	DRFM North Drumheller Flood Protection North Drumheller Flood Improvements Engineering Construction Services Scope Change
DATE:	January 8, 2024
PRESENTED BY:	Deighen Blakely, P.Eng., Project Director
ATTACHMENTS:	None

SUMMARY:

Tenders for construction of the North Drumheller Flood Improvements and Michichi Creek Lift Station work closed on December 14, 2023 with Wilco Contractors Southwest Inc. being low bid of \$9,407,195.25. The flood protection portion is \$7,986,260.25 and the Lift Station portion \$1,420,935.00. Construction is scheduled to start February 2024 with tree clearing and be completed by October 31, 2024.

Kerr Wood Leidal Associates (KWL) was awarded the contract for design of the North Drumheller Flood Protection work in 2021. They have been undertaking the preliminary and detailed design of the berm since February 2021 and have also recently prepared the tender documents for contractor procurement. KWL has submitted a scope of work and budget for the construction phase of the project, which includes:

Task	Pricing (excluding GST)
Project and Contract Admin	\$ 190,000.00
Construction Inspection	\$ 416,950.00
Landscaping Inspection (Sub)	\$ 67,770.00
Bird & Wildlife Sweeps (Sub)	\$ 7,140.00
Quality Assurance Materials Testing and Survey (Sub)	\$ 171,370.00
Vibration Monitoring (Sub)	\$143,780.00
Post Construction	\$ 47,800.00
TOTAL	\$1,044,810.00

The engineering construction services cost is approximately 13% of the construction budget which is in line with engineering construction services budgets for previous flood projects.

In addition to the above budget, Administration has approved a KWL construction services budget of \$48,920 for the Lift Station construction.

FINANCIAL IMPACT:

The Berm construction is funded under the \$80.7M DRFM project grant funding program. The Engineering Design team play an important role during construction to ensure the work is being

constructed as per the design drawings and specifications. The cost of construction support and contract administration is eligible for Provincial and Federal funding.

RECOMMENDATION:

Administration recommends that the engineering and inspection services for the construction phase of the North Drumheller Flood Improvements Project be awarded to KWL through a scope change for the amount of \$1,044,810.00 excluding GST.

STRATEGIC POLICY ALIGNMENT:

Approving the scope change for KWL aligns with Council's strategic priority to protect Drumheller from future flooding through a proactive, sustainable, flood-mitigation strategy. Together, we will shape the future of our community by protecting our people, our property, our economic growth, our environment and our cultural heritage.

COMMUNICATION STRATEGY:

The consultant team will be notified of the scope change with a Change Order form. Public notice of the scope extension will be available in the Council Meeting Minutes.

MOTION: Councilor: _____ moves that the North Drumheller Berm construction services be awarded to Kerr Wood Leidel through a scope change in the amount of \$1,044,810.00 excluding GST.

SECONDED:



Prepared by:
Mark Steffler, P. Eng
DRFM Tech Advisor



Reviewed By:
Deighen Blakely, P. Eng
DRFM Project Director



Approved by:
Darryl E. Drohomerski, C.E.T.
Chief Administrative Officer

REQUEST FOR DECISION

TITLE:	DRFM North Drumheller Flood Improvements Tender Award
DATE:	January 8, 2024
PRESENTED BY:	Deighen Blakely, P.Eng., Project Director
ATTACHMENTS:	North Drumheller Flood Improvements Project Site Plan

SUMMARY:

The North Drumheller Flood Improvements Project involves the construction of approximately 1100m of new and upgrading of 700m of flood protection berms. It consists of the following five components:

- Hospital Berm Extension – AHS Property Boundary to 9 St W
- Michichi Creek West Berm – 9 St W to 87 Michichi Drive
- Michichi Creek East Berm – 70 Beech Street to Gordon Taylor Bridge
- Michichi Creek Realignment
- Michichi Creek Sanitary Lift Station (Town)

Land acquisition was required from 13 properties, with final land acquisition still outstanding for one property. A Request for Tender was advertised on November 9, 2023 and closed on December 14, 2023. A total of five (5) bids were received, with results as follows:

Contractor	Berm Construction	Michichi Creek Sanitary Lift Station	Total (Excl GST)
Wilco Contractors Southwest Inc.	\$7,986,260.25	\$1,420,935.00	\$9,407,195.25
PME Inc.	\$7,955,924.71	\$1,861,544.33	\$9,817,469.04
Pidherney's Inc.	\$9,321,550.19	\$1,418,735.30	\$10,740,285.49
Greenfield Construction Ltd.	\$12,290,156.80	\$2,309,896.69	\$14,600,053.49
B.Y.Z. Enterprises Inc.	\$12,028,918.00	\$2,828,800.00	\$14,857,718.00
Engineering Pre-Tender Estimate	\$9,621,096.25	\$1,620,000.00	\$11,241,096.25

Tree clearing is scheduled to commence late February, 2024 with construction being completed by October 31, 2024. Hospital Berm Extension portion may be delayed to late 2024 pending land acquisition.

Kerr Wood Leidal Associates (KWL) have reviewed the bids. They have found the bids to be compliant with the tender requirements and are recommending award to Wilco Contractors Southwest Inc. Wilco is well suited to complete the work and is very familiar with scope of work, having completed four other berm projects for the Town.

FINANCIAL IMPACT:

The North Drumheller Flood Protection work is funded under the \$80.7M DRFM grant funding program, which is jointly funded by the Town, Provincial and Federal Governments.

The Michichi Creek Lift Station is a Town-funded Capital project. The project was initially approved by Council as part of the 2022 Capital Budget for \$1,500,000. An additional \$750,000 was approved by Council as part of the 2024 Capital budget for a total project budget of \$2,250,000, including engineering fees.

RECOMMENDATION:

Administration recommends that the North Drumheller Flood Improvements tender be awarded to Wilco Contractors Southwest Inc. in the amount of \$9,407,195.25 excluding GST.

STRATEGIC POLICY ALIGNMENT:

Awarding the project to Wilco Contractors Southwest Inc. aligns with Council’s strategic priority to protect Drumheller from future flooding through a proactive, sustainable, flood-mitigation strategy. Together, we will shape the future of our community by protecting our people, our property, our economic growth, our environment, and our cultural heritage.

COMMUNICATION STRATEGY:


An extensive public communication strategy has been employed for the past construction work, and a similar program will be used for the North Drumheller project which includes:


- Utility bill mailout in spring 2024 about upcoming work
- “Construction Notice” on bulletins around town and delivered to nearby residents
- Construction sign at the project site that includes the project name and contacts, and overall program budget
- Updates on the Flood Readiness website
- Social media posts
- Information included in Flood Readiness email newsletter
- Pre-construction public information event or video
- Pre-construction vibration inspections for adjacent buildings
- Full time design team personnel on site during construction

MOTION: Councilor: _____ moves that Council award the North Drumheller Flood Improvements Project tender to Wilco Contractors Southwest Inc. in the amount of \$9,407,195.25 excluding GST.

SECONDED:


Prepared by:
Mark Steffler, P. Eng
DRFM Tech Advisor


Reviewed By:
Deighen Blakely, P. Eng
DRFM Project Director


Approved by:
Darryl Drohomerski, C.E.T.
Chief Administrative Officer

North Drumheller Flood Improvements Project Site Plan

