



**TOWN OF DRUMHELLER**  
REGULAR COUNCIL MEETING

**AGENDA**

TIME & DATE: 4:30 PM – Tuesday February 20, 2024

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

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1. CALL TO ORDER

2. OPENING COMMENTS

Water Bills – Email sign up initiative

3. ADDITIONS TO THE AGENDA

4. ADOPTION OF AGENDA

4.1 Agenda for February 20, 2024 Regular Meeting

Proposed Motion: That Council adopt the agenda for the February 20, 2024 Regular Council meeting as presented.

5. MEETING MINUTES

5.1 Minutes for February 5, 2024 Regular Council as presented.

[Regular Council Meeting – February 5, 2024 - Minutes](#)

Proposed Motion:

Move that Council approve the minutes for the February 5, 2024, Regular Council meeting as presented.

DELEGATION

COUNCIL BOARDS AND COMMITTEES

6. REPORTS FROM ADMINISTRATION

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

6.1 Chief Administrative Officer

6.1.1 Request for Decision: Proposed Bylaw 10.24 Rosedale Railway Ave, Road Closure

[Request for Decision + Proposed Bylaw 10.24](#)

Proposed Motion:

Moves that Council give first reading to Bylaw 10.24 Rosedale Railway Ave, Road Closure as presented and set a Public Hearing date for April 8, 2024.

Flood Resiliency Project Director

CORPORATE AND COMMUNITY SERVICES DEPARTMENT

6.2 Director of Corporate and Community Services

6.2.1 Request for Decision: Proposed Bylaw 13.24 Supplementary Tax Assessment

[Request for Decision + Proposed Bylaw 13.24](#)

Proposed Motion:

Moves that Council give first reading to Bylaw 13.24 - Supplementary Assessment as presented.

Proposed Motion:

Moves that Council give second reading to Bylaw 13.24 - Supplementary Assessment as presented.

Proposed Motion:

Moves that Council give unanimous consent for third to Bylaw 13.24 - Supplementary Assessment.

Proposed Motion:

Moves that Council give third reading to Bylaw 13.24 - Supplementary Assessment as presented.

## EMERGENCY AND PROTECTIVE SERVICES

### INFRASTRUCTURE DEPARTMENT

#### 6.3 Director of Infrastructure

##### 6.3.1 Request for Decision: 2023 & 2024 New Trail Development, Roadway Rehabilitation, Sidewalk Rehabilitation and Other Work Award

###### [Request for Decision](#)

Proposed Motion:

Moves that the award for the 2023 & 2024 New Trail Development, Roadway Rehabilitation, Sidewalk Rehabilitation and Other Work Request for Tender be awarded to Ruby Rock Asphalt Works Ltd. for the amount of \$1,231,154.97 excluding G.S.T.

#### 7. CLOSED SESSION

##### 7.1 Third Party Contract and Personnel

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

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 Contract and Personnel as per

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

FOIP 23 – Local public body confidences,

FOIP 24 – Advice from Officials

#### 8. ADJOURNMENT

Proposed Motion: That Council adjourn the meeting.



**TOWN OF DRUMHELLER**  
REGULAR COUNCIL MEETING

**MINUTES**

TIME & DATE: 4:30 PM – Monday, February 5, 2024

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

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**IN ATTENDANCE**

Mayor Heather Colberg (Remote)

Councillor Patrick Kolafa (Chair)

Councillor Stephanie Price

Councillor Tony Lacher

Councillor Crystal Sereda (Remote)

Councillor Lisa Hansen-Zacharuk (Absent)

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

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1. CALL TO ORDER

Councillor Kolafa called the meeting to order at 4:30 PM

2. OPENING COMMENTS

Reminder that Country music artists Aaron Pritchett, Matt Lang and Cory Marks are coming to the Badlands Community Facility (BCF) on February 16<sup>th</sup>, 2024.

3. ADDITIONS TO THE AGENDA

4. ADOPTION OF AGENDA

4.1 Agenda for February 5, 2024, Regular Council Meeting

M2024.44 Moved by Councillor Lacher, Councillor Price  
that Council adopt the amended agenda for the February 5, 2024, Regular Council  
meeting as presented.

CARRIED UNANIMOUSLY

5. MEETING MINUTES

5.1 Minutes for January 29, 2024 Regular Council as presented.

Agenda Attachment: Regular Council Meeting – January 29, 2024 - Minutes

M2024.45 Moved by Councillor Price, Councilor Zariski that Council approve the minutes for the January 29, 2024, Regular Council meeting as presented.

CARRIED UNANIMOUSLY

## DELEGATION

### COUNCIL BOARDS AND COMMITTEES

COUNCIL MOVED TO ITEM 7.11 IN THE AGENDA AS THE PUBLIC HEARING WAS SCHEDULED TO COMMENCE AT 5:30 PM.

## 7. REPORTS FROM ADMINISTRATION

### OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

7.1 Chief Administrative Officer  
Timestamp: [2:17](#)

7.1.1 Request for Decision: Proposed Bylaw 06.24 Rosedale Mabbott Rd, Road Closure  
  
Agenda Attachment: Request for Decision; Bylaw 06.24

M2024.46 Moved by Councillor Lacher, Councillor Sereda that Council give first reading to Rosedale Mabbott Road - Road Closure Bylaw 06.24 and set the Public Hearing date for March 4, 2024.

CARRIED UNANIMOUSLY

7.1.2 Request for Decision: Proposed Bylaw 07.24 Rosedale Pinter Dr, Road Closure  
  
Agenda Attachment: Request for Decision; Bylaw 07.24

M2024.47 Moved by Councillor Price, Mayor Colberg that Council give first reading to Rosedale Pinter Drive - Road Closure Bylaw 07.24 and set the Public Hearing date for March 4, 2024.

CARRIED UNANIMOUSLY

7.1.3 Request for Decision: Proposed Bylaw 09.24 Rosedale 1<sup>st</sup> Avenue S, Road Closure  
  
Agenda Attachment: Request for Decision; Bylaw 09.24

M2024.48 Moved by Councilor Zariski, Councillor Lacher  
That Council give first reading to Rosedale 1st Avenue S - Road Closure Bylaw  
09.24 and set the Public Hearing date for March 4, 2024.

CARRIED UNANIMOUSLY

7.2 Flood Resiliency Project Director  
Timestamp: [18:10](#)

7.2.1 Request for Decision: Resolution for Expropriation and Notice of Intention to Expropriate of  
Partial Parcel for Berm Construction affecting Plan 865FG, Lot 5 (215 8 Street, Nacmine)

Agenda Attachment: Request for Decision

M2024.49 Moved by Councillor Lacher, Councillor Sereda  
that Council approve the Resolution for Expropriation and  
Notice of Intention to Expropriate pertaining to a portion of land described as Plan  
865FG, Lot 5;  
Title Number 152U157.

CARRIED UNANIMOUSLY

7.2.2 Request for Decision: Resolution for Expropriation and Notice of Intention to Expropriate of  
Drumheller Resiliency and Flood Mitigation Program – Resolution for  
Expropriation of a Partial Parcel for Berm Construction affecting  
Plan 201EO, Parcel C, containing  
Quarter Section Acres more or less  
NE 3.68  
SE 0.02  
Excepting firstly, the westerly 137 feet of the southerly 160 feet of the  
said Parcel C, containing 0.05 of an acre more or less  
Secondly, those portions on the following plan  
Plan Number Acres more or less  
NE 1/4 SE 1/4  
Drainage Ditch 5475HX 0.85 0.02  
(724 Hunter Drive, Nacmine)

Agenda Attachment: Request for Decision

M2024.50 Moved by Councilor Zariski, Councillor Lacher  
that Council approve the Resolution for Expropriation and  
Notice of Intention to Expropriate pertaining to a portion of land described as Plan  
201EO,  
Parcel C, containing  
Quarter Section Acres more or less  
NE 3.68  
SE 0.02

Excepting firstly, the westerly 137 feet of the southerly 160 feet of the said Parcel C, containing  
0.05 of an acre more or less  
Secondly, those portions on the following plan  
Plan Number Acres more or less  
NE 1/4 SE 1/4  
Drainage Ditch 5475HX 0.85 0.02; Title Number 151 173 810.

CARRIED UNANIMOUSLY

## CORPORATE AND COMMUNITY SERVICES DEPARTMENT

7.4 Manager of Recreation, Arts and Culture  
Timestamp: [24:52](#)

7.4.1 Request for Decision: 2024 Recreation Master Plan Workplan

Agenda Attachment: Request for Decision

M2024.51 Moved by Councilor Zariski, Councillor Price  
that Council direct Administration to proceed with the 2024 projects identified in the  
Parks & Recreation Master Plan as Playgrounds Safety & Compliance, Newcastle  
Rink Restoration, Newcastle & Rosedale Ball Diamonds and Newcastle Dog Park.

CARRIED UNANIMOUSLY

COUNCIL MOVED TO ITEM 8.6.2 IN THE AGENDA.

8.6.2 Request for Decision: Drumheller Municipal Airport Courtesy Car Purchase.

Agenda Attachment: Request for Decision

M2024.52 Moved by Councillor Lacher, Councillor Price  
that Council approve utilizing donated funds for the purchase of a vehicle for use as  
a courtesy car at the Drumheller Municipal Airport and that the courtesy car  
operating costs be added to the Airport operating budget.

CARRIED UNANIMOUSLY

M2024.53 Moved by Councillor Price, Councilor Zariski  
that Council suspend the meeting for a public hearing.

CARRIED UNANIMOUSLY

Council suspended the meeting at 5:20 PM

6. **PUBLIC HEARINGS TO COMMENCE AT 5:30 PM**

Timestamp: [1:06:12](#)

6.1 Proposed Bylaw 02.24 Nacmine West End, Road Closure

Agenda Attachment: Request for Decision; Bylaw 02.24

**1. Mayor Opens the Public Hearing and Introduces the Matter**

Councillor Kolafa opened the Public Hearing at 5:36 PM.

**2. Presentation of Information – Chief Administrative Officer**

The Chief Administrative Officer presented information on the proposed Road Closure Bylaw 02.24.

**3. Rules of Conduct for Public Participation**

All the material related to the Public Hearing will be documented and taken into consideration.

**4. Public Participation - Registered to Present Remotely**

No registrations to present remotely were received.

**5. Public Participation – Pre-Registered to Present in Person**

Priscilla Poland – Neither in-support or opposed to the Bylaw – Resident of Drumheller

P. Poland asked if the creek crossing the creek would be maintained. D. Blakely stated the creek would be realigned and did not believe that the bridge crossing the creek would be affected by the construction of the berm.

George Comstock – Opposed – Resident of Drumheller

G. Comstock stated that we would like to see the steps and trail going down to the Red Deer River, behind the area affected by the Road Closure, remain.

Nickki Briggs – Opposed – Resident of Drumheller

N. Briggs asked if there were plans to improve the drainage in the area of the Road Closure. D. Drohomerski stated that there were plans construct drainage through the Berm but that there were no plans to improve drainage on 3 Ave.

Gary Bouchet - Neither in-support or opposed to the Bylaw – Resident of Drumheller

G. Bouchet asked if where the equipment would be placed for the construction of the Berm. D. Drohomerski reminded speakers that this public hearing is specifically in regards to the closure of land and not in regards to the construction of the berm. He



stated that the contractors are well prepared to work close to residential housing and residents.

Debora Wurz - Neither in-support or opposed to the Bylaw – Resident of Drumheller

D. Wurz expressed concerns about the lack of accessibility of the trail resulting from the berm construction. D. Drohomerski stated that this is something they would take away and bring forward to the berm designers.

## **6. Public Participation - Written Submissions**

No written submissions regarding the Bylaw 02.24 were received.

## **7. Final Comments**

There were no final comments.

## **8. Mayor to Call for Public Hearing to Close.**

Councillor Kolafa closed the Public Hearing at 5:52 PM.

### **6.2 Proposed Bylaw 03.24 Nacmine 4<sup>th</sup> Street, Road Closure**

Agenda Attachment: Request for Decision; Bylaw 03.24

#### **1. Mayor Opens the Public Hearing and Introduces the Matter**

Councillor Kolafa opened the Public Hearing at 5:53 PM.

#### **2. Presentation of Information – Chief Administrative Officer**

The Chief Administrative Officer presented information on the proposed Road Closure Bylaw 03.24.

#### **3. Rules of Conduct for Public Participation**

All the material related to the Public Hearing will be documented and taken into consideration.

#### **4. Public Participation - Registered to Present Remotely**

No registrations to present remotely were received.

#### **5. Public Participation – Pre - Registered to Present in Person**

Rodney Dyck – Opposed – Resident of Drumheller

R. Dyck stated that he had concerns about the loss of trees and habitat. D. Blakley stated that in the tree replacement contract for projects started in 2022, there were

approximately 4,000 trees that were required to be replaced. Similarly, In Nacmine and Rosedale, any tree or shrub that is removed will be replaced at a ratio of 5:1.

Gary Bouchet – Neither in-support or opposed to the Bylaw – Resident of Drumheller

G. Bouchet asked if the land in 03.24 is being acquired through a land transfer from the Province or if it is being purchased. D. Drohomerski stated that it is a land transfer and there will be no effect on the mill rate as a result of any of these land acquisitions.

## **6. Public Participation - Written Submissions**

No written submissions regarding the Bylaw 03.24 were received

## **7. Final Comments**

There were no final comments

## **8. Mayor to Call for Public Hearing to Close.**

Councillor Kolafa closed the Public Hearing at 6:02 PM.

### **6.3 Proposed Bylaw 04.24 Nacmine 8<sup>th</sup> Street, Road Closure**

Agenda Attachment: Request for Decision; Bylaw 04.24

#### **1. Mayor Opens the Public Hearing and Introduces the Matter**

Councillor Kolafa opened the Public Hearing at 6:02 PM.

#### **2. Presentation of Information – Chief Administrative Officer**

The Chief Administrative Officer presented information on the proposed Road Closure Bylaw 04.24,

#### **3. Rules of Conduct for Public Participation**

All the material related to the Public Hearing will be documented and taken into consideration.

#### **4. Public Participation - Registered to Present Remotely**

No registrations to present remotely were received.

#### **5. Public Participation – Pre - Registered to Present in Person**

Jim Decour – Opposed – Resident of Drumheller

J. Decour expressed concerns about the elimination of access to his property caused by the acquisition of the property. D. Drohomerski stated that the Town of Drumheller is

intending to transfer the property to J. Decour through a land swap, and therefore, J. Decour would not lose access to his property.

**Jim McCabe – Neither in-support or opposed to the Bylaw – Resident of Drumheller**

J. McCabe stated concerns about the loss of trees on his property caused by the construction of a berm behind his property. D. Drohomerski stated that the surveyors are attempting to save trees where possible but that they are unable to make significant changes to the footprint and location of the berm.

**6. Public Participation - Written Submissions**

No written submissions regarding the Bylaw 04.24 were received

**7. Final Comments**

There were no final comments

**8. Mayor to Call for Public Hearing to Close.**

Councillor Kolafa closed the Public Hearing at 6:20 PM.

6.4 Proposed Bylaw 05.24 Nacmine Hunter Drive, Road Closure

Agenda Attachment: Request for Decision; Bylaw 05.24

**1. Mayor Opens the Public Hearing and Introduces the Matter**

Councillor Kolafa opened the Public Hearing at 6:20 PM.

**2. Presentation of Information – Chief Administrative Officer**

The Chief Administrative Officer presented information on the proposed Road Closure Bylaw 05.24,

**3. Rules of Conduct for Public Participation**

All the material related to the Public Hearing will be documented and taken into consideration

**4. Public Participation - Registered to Present Remotely**

No registrations to present remotely were received.

**5. Public Participation – Pre - Registered to Present in Person**

No registrations to present in person were received.

## **6. Public Participation - Written Submissions**

No written submissions regarding the Bylaw 05.24 were received

## **7. Final Comments**

There were no final comments

## **8. Mayor to Call for Public Hearing to Close.**

Councillor Kolafa closed the Public Hearing at 6:24 PM.

Councillor Kolafa called to order the Regular Council Meeting of February 5, 2024

## EMERGENCY AND PROTECTIVE SERVICES

- 7.5 Director of Emergency and Protective Services  
Timestamp: [2:00:08](#)

Request for Decision: Paid Parking Communications and Implementation Update

Agenda Attachment: Request for Decision

- M2024.54 Moved by Councilor Zariski, Councillor Sereda  
that Council directs Administration to commence the Town of Drumheller paid parking program using the Hotspot Incorporated paid parking system at designated lots in Drumheller commencing May 1 and ending October 31, 2024.

CARRIED UNANIMOUSLY

- M2024.55 Moved by Councillor Lacher, Councillor Colberg  
that Council directs Administration to administer parking exemptions to Drumheller residents as permitted under the Residential Parking Permit option within the Hotspot Incorporated paid parking system regulations and rules.

CARRIED UNANIMOUSLY

- M2024.56 Moved by Councillor Price, Councillor Lacher  
that Council directs Administration to implement parking exemptions for persons having paid memberships or attending specified events at the Badlands Community Facility under the moderated permit option within the Hotspot Incorporated paid parking system regulations and rules.

CARRIED UNANIMOUSLY

M2024.57 Moved by Councilor Zariski, Councillor Lacher  
that Council directs Administration to operate the Hotspot Incorporated paid parking system within its existing regulations and rules and that a 15-minute free parking concession at any location in Drumheller not be part of any paid parking system or parking enforcement operation.

CARRIED UNANIMOUSLY

## INFRASTRUCTURE DEPARTMENT

8.6 Director of Infrastructure  
Timestamp: [2:30:53](#)

8.6.1 Request for Decision: Concrete Crushing for Stockpiling Request for Tender

Agenda Attachment: Request for Decision

M2024.58 Moved by Councillor Lacher, Councillor Sereda  
that Council approve additional funds be allocated to the 2024 Concrete Crushing for Stockpiling capital project from Capital Reserves in the amount of \$175,000.00 to be utilized in addition to the existing capital project budget of \$200,000.00 for a total project budget of \$375,000.00.

CARRIED UNANIMOUSLY

M2024.59 Moved by Councillor Price, Councillor Lacher  
that Council approve the award of the Concrete Crushing for Stockpiling tender to Park Paving Ltd for the amount of \$358,034.30 exclusive of GST.

CARRIED UNANIMOUSLY

## 9. CLOSED SESSION

9.1 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

M2024.60 Moved by Councillor Lacher, Councilor Zariski  
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

The meeting was closed to the public at 7:10 PM.

M2024.61 Moved by Councillor Price, Councillor Price  
that Council open the meeting to the public

CARRIED UNANIMOUSLY

The meeting was opened to the public at 8:23pm

10. ADJOURNMENT

M2024.62 Moved by Councilor Zariski, Councillor Lacher  
that Council adjourn the meeting

CARRIED UNANIMOUSLY

The meeting was adjourned at 8:23pm

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

## REQUEST FOR DECISION

<b>TITLE:</b>	Proposed Rosedale Railway Avenue - Road Closure Bylaw 10.24
<b>DATE:</b>	February 14, 2024
<b>PRESENTED BY:</b>	Darryl Drohomerski, C.E.T., CAO
<b>ATTACHMENT:</b>	Bylaw 10.24; Schedule 'A'

**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. For this specific road closure, the proposed closure of right of way is intended to provide additional lands to the adjacent landowners who are providing land at the rear of their property for berm construction.

**RECOMMENDATION:**

That Council gives first reading to Rosedale Railway Avenue - Road Closure Bylaw 10.24 and sets the Public Hearing date for Monday April 8, 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. As noted in previous Rosedale Road Closure bylaws, there are several anomalies in the property boundaries in Rosedale. One such area is the right of way known as Railway Avenue, specifically in the area shown on Schedule 'A'. Although the lands proposing to be closed will not be used for berm construction, because of construction taking place in the vicinity of this right of way, and after discussions with the landowners, the Town is looking to clean up the rights of way in this area.

When looking at Railway Avenue as a whole, it is apparent that the original right of way contained both a rail line to serve Star Mine as well as vehicle traffic for the Rosedale settlement south of 1 Avenue East. Over time, some of the right of way was closed or altered to allow for residential development as we know it today. However, the right of way in front of both 80 and 104 Railway Avenue was never adjusted from the original plan from 1927 and is 35.4 meters (116 feet) wide instead of the standard 20 meter wide right of way. Both properties have significant landscaping and surface improvements constructed on the right of way and in an effort to clean up some of these anomalies, the Town and property owners have discussed the opportunity to transfer ownership of the closed right of ways if the closure is approved.

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 and in this case much wider because it included land for the railway to serve the Star Mine and vehicle traffic. Outside of area highways and 1 Street E/Pinter Drive/Pinter Road, this may be the widest right of way in Drumheller.

The parcels, once closed, will be consolidated with the existing residential parcels if agreements are reached with the current landowners. Any unsold parcels will be set aside as land inventory to consolidate in the future.

**FINANCIAL IMPACT:**

While not directly related to berm construction, the costs to convert this land are included in the Flood Mitigation project as we are working with both property owners on berms at the back of their property.

**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 March 13 and 20.
- Letters to properties in the adjacent area will be mailed out.
- Posting on the Town Website under Council Agendas.

**MOTION:**

That Council give first reading to Rosedale Railway Avenue - Road Closure Bylaw 10.24 as presented and set the Public Hearing date for April 8, 2024.

**SECONDED:**

Prepared By:

Reviewed By:

Approved By:

*Darryl Drohomerski*

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

*Denise Lines*

Denise Lines  
Legislative Services

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



**TOWN OF DRUMHELLER**  
**BYLAW NUMBER 10.24**  
DEPARTMENT: FLOOD MITIGATION / DEVELOPMENT

*Rosedale Railway Ave, Road Closure*

**THIS IS A BYLAW of the TOWN OF DRUMHELLER**, in the Province of Alberta for the purpose of closing portions of certain underdeveloped public Streets as depicted on:

**SCHEDULE – A ... AREAS – ‘A,’ ‘B,’ ‘C’ and ‘D’**

being parts of “Railway Avenue” created by Plan 3452 H.X.

Within the S.W. 1/4 Section 28, Township 28, Range 19, West 4<sup>th</sup> Meridian

to public travel and acquiring title to these lands in the name of the TOWN OF DRUMHELLER pursuant to Section 22 of the Municipal Government Act, being 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 and Rosebud Rivers in the Town of Drumheller to protect properties and the citizens of Drumheller from the ravages of flood waters, and

**WHEREAS**; the public street herein defined is not developed or otherwise used as a public street nor will it be required for a public street or other public purposes in the foreseeable future; and

**WHEREAS**; the Town of Drumheller has been petitioned to close the lands herein described by the flood mitigation project to be used for land exchange required for a flood protection berm to be constructed in this vicinity or to hold the land for future consolidation with adjacent lands, 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; and

**WHEREAS**; a notice of these Street closures 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 \_\_\_\_\_ day of \_\_\_\_\_, 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 those portions of the undeveloped Streets depicted on the attached Schedule – 'A' which are more particularly describe as:

PLAN .....  
AREAS – 'A', 'B', 'C', and 'D'  
EXCEPTING THEREOUT ALL MINES AND MINERALS

to public travel and acquiring titles to these lands in the name of the TOWN OF DRUMHELLER with a mailing address of; 224 Centre Street, DRUMHELLER, Alberta T0J 0Y4 pursuant to Sections 22 of the Municipal Government Act, being Chapter M-26, of the Revised Statutes of Alberta 2000, as amended.

**SHORT TITLE**

This Bylaw may be cited as Rosedale Railway Ave, 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.

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MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

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

**APPROVED BY:          ALBERTA TRANSPORTATION and ECONOMIC CORRIDORS**

Seal

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MINISTER OF ALBERTA TRANSPORTATION and ECONOMIC CORRIDORS  
ROOM 425, LEGISLATIVE BUILDING,  
10800 97<sup>TH</sup>. AVENUE, EDMONTON, ALBERTA T5K 2B6

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

\_\_\_\_\_  
MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

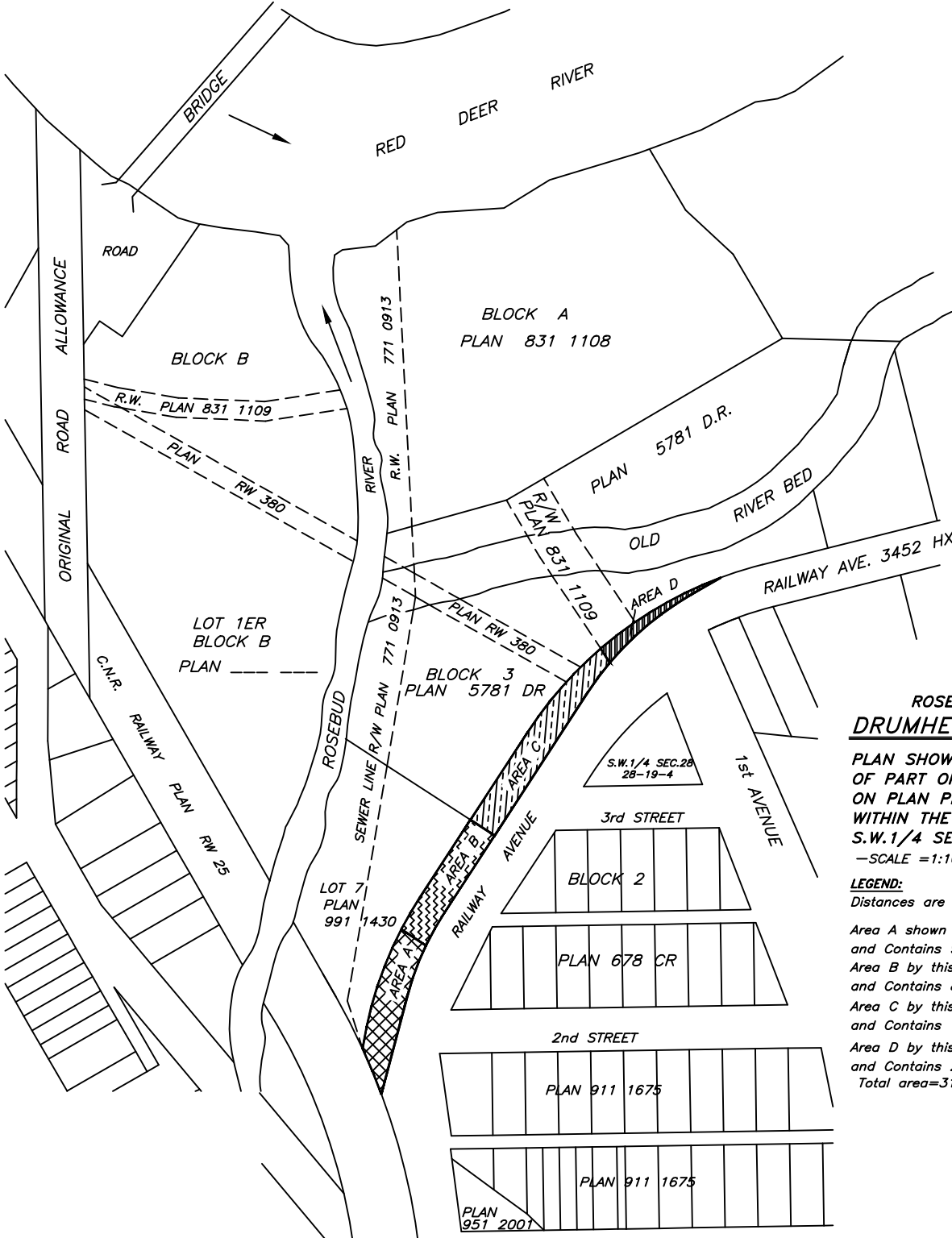
\_\_\_\_\_  
DARRYL E. DROHOMERSKI, C.E.T.  
CHIEF ADMINISTRATIVE OFFICER

**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







**ROSEDALE DISTRICT  
DRUMHELLER, ALBERTA**

**PLAN SHOWING PROPOSED ROAD CLOSURE  
OF PART OF RAILWAY AVENUE  
ON PLAN PLAN 3452 HX  
WITHIN THE**

**S.W.1/4 SEC.28, TWP,28, RGE.19, W.4M.**

—SCALE =1:1000— 2023—Wm.R. HUNTER, A.L.S.—

**LEGEND:**  
Distances are in metres and decimals thereof.

- Area A shown thus.....  and Contains 922.7sq.m. 9932sq.ft.
- Area B by this plan is shown thus.....  and Contains 802.9sq.m. 864.3sq.ft.
- Area C by this plan is shown thus.....  and Contains 1193.8sq.m. 12850sq.ft.
- Area D by this plan is shown thus.....  and Contains 236.7sq.m. 2548sq.ft.
- Total area=3156.1sq.m. 33972sq.ft

## REQUEST FOR DECISION

<b>TITLE:</b>	Bylaw 13.24 Supplementary Assessment
<b>DATE:</b>	February 20, 2024
<b>PRESENTED BY:</b>	Victoria Chan, CPA, CGA, LL.B, LL.M Chief Financial Officer Director of Corporate and Community Services
<b>ATTACHMENT:</b>	Appendix 1 – Bylaw 13.24 Supplementary Assessment

**SUMMARY:**

Like other municipalities in Alberta, the Town levies taxes twice a year. The general tax levy is levied in the spring and is based on annual assessments prepared as of December 31 of the previous year. The general tax levy does not consider the portion of properties constructed and completed after December 31 of the previous year.

To account for these properties and ensure fairness and equity amongst all properties, the Town issues a supplementary tax levy each year to account for improvements completed after December 31. This incremental tax only applies to the period from completion to the end of the year.

**RECOMMENDATION:**

That Council give first, second, and third reading to Bylaw 13.24 – Supplementary Assessment as presented.

**DISCUSSION:**

A municipality may pass a bylaw that allows it to assess improvements added to land after December 31 and collect property taxes on them for a portion of the current year. To do this, the assessor for the municipality must determine the value of the new improvements added since December 31 of the previous year. This assessed value is then placed on the supplementary assessment roll. The supplementary assessment roll is used to produce supplementary assessment notices.

Supplementary assessment notices must be sent to assessed persons before the end of the calendar year. Property taxes based on the supplementary assessment are pro-rated to reflect only the portion of the year the new improvement is completed, occupied, or in operation in the municipality.

The Town has always levied a supplementary tax via a supplementary assessment bylaw. The requirement under the legislation is to approve such a bylaw on an annual basis. Bylaw 13.24 has been prepared for the 2023 tax year and is consistent with the legislative authority provided under the act.

**FINANCIAL IMPACT:**

In 2023, Administration reassessed additional taxes of \$1,982.86 for residential and \$11,095.06 for commercial properties (including the linear property). Administration projects additional \$5,000 to \$6,000 property tax due to reassessment.

**WORKFORCE AND RESOURCES IMPACT:**

N/A

**STRATEGIC POLICY ALIGNMENT:**

Good governance and fiscal sustainability are key requirements for maintaining Town operations.

**COMMUNICATION STRATEGY:**

Once Bylaw 13.24 receives three readings, it will be in effect, and a copy will be uploaded to the Town website at [www.drumheller.ca](http://www.drumheller.ca).

**COUNCIL MOTION:**

**MOTIONS:**

Moves that Council give first reading to Bylaw 13.24 - Supplementary Assessment as presented.

Moves that Council give second reading to Bylaw 13.24 - Supplementary Assessment as presented.

Moves that Council give unanimous consent for third to Bylaw 13.24 - Supplementary Assessment.

Moves that Council give third reading to Bylaw 13.24 - Supplementary Assessment as presented.



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Prepared by:  
Victoria Chan, CPA, CGA, LL.B, LL.M  
Chief Financial Officer /  
Director of Corporate & Community Services



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

**TOWN OF DRUMHELLER**  
BYLAW NUMBER 13.24  
DEPARTMENT: FINANCE

*Repeals Bylaw 02.23*

BEING A BYLAW TO AUTHORIZE THE **SUPPLEMENTARY ASSESSMENT** FOR IMPROVEMENTS WITHIN THE TOWN OF DRUMHELLER FOR THE PURPOSE OF IMPOSING A TAX UNDER PART 10 OF THE MUNICIPAL GOVERNMENT ACT FOR THE 2024 TAX YEAR.

**THE COUNCIL OF THE TOWN OF DRUMHELLER, DULY ASSEMBLED ENACTS AS FOLLOWS:**

1. In this Bylaw unless the context otherwise requires:
  - (a) "Act" means the Municipal Government Act;
  - (b) "assessor" means the assessor for the Town of Drumheller;
  - (c) "improvement" means:
    - (i) a structure,
    - (ii) anything attached or secured to a structure, that would be transferred without special mention by a transfer or sale of the structure,
    - (iii) a designated manufactured home, and
    - (iv) machinery and equipment;
  - (d) "linear property" and other words and phrases defined in the Act have the meanings provided in the Act.
  - (e) "Town" means the Town of Drumheller;
2.
  - (a) The assessor is authorized to prepare the supplementary assessments contemplated in Part 9 Division 4 of the Act for the purpose of imposing a tax under Part 10 of the Act for the 2024 tax year.
  - (b) The improvement tax contemplated in Section 2(a) shall be imposed on all improvements.
  - (c) The assessor shall not prepare supplementary assessments for linear property.
3.
  - (a) The assessor shall prepare supplementary assessments for machinery and equipment used in manufacturing and processing if those improvements are completed or begin to operate in the year in which they are to be taxed under Part 10 of the Act.
  - (b) The assessor shall prepare supplementary assessments for other improvements if:

- (i) they are completed in the year in which they are to be taxed under Part 10 of the Act;
    - (ii) they are occupied during all or any part of the year in which they are to be taxed under Part 10 of the Act; or
    - (iii) they are moved into the Town during the year in which they are to be taxed under Part 10 of the Act and they will not be taxed in that year by another municipality.
  - (c) A supplementary assessment shall reflect:
    - (i) the value of an improvement that has not been previously assessed; or
    - (ii) the increase in value of an improvement since it was last assessed.
  - (d) Supplementary assessments shall be prepared in the same manner as assessments are prepared under Division 1 of Part 9 of the Act, but must be pro-rated to reflect only the number of months during which the improvement is complete, occupied, located in the municipality or in operation, including the whole of the first month in which the improvement was completed, was occupied, was moved into the municipality or began to operate.
4. Before the end of the year in which supplementary assessments are prepared, the municipality shall prepare a supplementary assessment roll in accordance with section 315 of the Act.
5. Before the end of the year in which supplementary assessments are prepared, the municipality shall:
- (a) prepare a supplementary assessment notice for every assessed improvement shown on the supplementary assessment roll; and
  - (b) send the supplementary assessment notices to the assessed persons in accordance with section 316 of the Act.

## **TRANSITIONAL**

1. Town of Drumheller Bylaw Number 02.23 is hereby repealed.
2. This Bylaw shall take effect on the day of the final passing thereof.



READ A FIRST TIME ON THE \_\_\_ DAY OF FEBRUARY 2024.

READ A SECOND TIME ON THE \_\_\_ DAY OF FEBRUARY 2024.

GIVEN UNANIMOUS CONSENT ON THE \_\_\_ DAY OF FEBRUARY 2024.

READ A THIRD AND FINAL TIME ON THE \_\_\_ DAY OF FEBRUARY 2024.

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MAYOR

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CHIEF ADMINISTRATIVE OFFICER

## REQUEST FOR DECISION

<b>TITLE:</b>	2023 & 2024 New Trail Development, Roadway Rehabilitation, Sidewalk Rehabilitation and Other Work Award
<b>DATE:</b>	February 14, 2024
<b>PRESENTED BY:</b>	Kelcie Wilson, C.E.T., Capital Project Manager
<b>ATTACHMENTS:</b>	

### SUMMARY:

In 2023 Capital monies were spent on engineering and design for work that was supposed to be completed in 2023. A Request for Tender (RFT) was posted in 2023 that saw zero (0) bidders. At this time Administration decided to postpone the 2023 work until 2024 and proceed with engineering and design work for 2024 projects. A new Request for Tender for the 2023 & 2024 New Trail Development, Roadway Rehabilitation, Sidewalk Rehabilitation and Other Work was posted on the Town's bids&tenders and the Alberta Purchasing Connection websites on January 11, 2024. The opportunity closed on February 7, 2024, with a total of five (5) tenders received. They are summarized as follows:

Contractor	Tendered Amount (excluding GST)	Compliant Bid (Y/N)
<b>Ruby Rock Asphalt Works Ltd.</b>	<b>\$1,231,154.97</b>	<b>Y</b>
Brooks Asphalt & Aggregate Ltd.	\$1,270,334.90	N
TJ Paving Ltd.	\$1,307,105.00	Y
Grindstone Paving and Excavating Ltd.	\$1,349,572.95	Y
Aecon Transportation West Ltd.	\$1,651,446.00	Y

The intent is for construction to commence as soon as possible once approvals are in order, with a substantial completion of this project specified to be September 15, 2024, and final completion on October 1, 2024.

### RECOMMENDATION:

Administration recommends that the 2023 & 2024 New Trail Development, Roadway Rehabilitation, Sidewalk Rehabilitation and Other Work Request for Tender be awarded to Ruby Rock Asphalt Works Ltd. for the amount of \$1,231,154.97 excluding GST.

### FINANCIAL IMPACT:

The approved 2023 & 2024 Capital Budgets are as follows:

Capital Project	2023 Capital Funds	2024 Capital Funds	Total Capital Funds
Street Improvement Program	\$850,000	\$295,000	\$1,145,000
Sidewalk Replacement	\$350,000	\$175,000	\$525,000
New Trail Development	\$160,000	\$210,000	\$370,000
Trans Canada Trail Grant	NA	\$60,000	\$60,000

Money spent for Engineering and Design for each Capital project in 2023 is as follows:

Capital Project	2023 Capital Funds Spent	2023 & 2024 Total Capital Funds	2023 & 2024 Total Remaining Capital Funds
Street Improvement Program	\$92,859.91	\$1,145,000.00	\$1,052,140.09
Sidewalk Replacement	\$24,058.55	\$525,000.00	\$500,941.45
New Trail Development	\$30,271.55	\$370,000.00	\$339,728.45
Trans Canada Trail Grant	NA	\$60,000.00	\$60,000.00

Funding for this project will come from the following project codes in the approved 2023 & 2024 Capital Budget:

Capital Project	Approved Budget (2023 & 2024)	GL Code
Street Improvement Program	\$1,145,000.00	2.6.7200.611.2401
Sidewalk Replacement	\$525,000.00	2.6.7200.611.2402
New Trail Development (grant included)	\$399,728.45	2.6.7200.611.2403

**STRATEGIC POLICY ALIGNMENT:**

Awarding the contract to Ruby Rock Asphalt Works Ltd. would support Administration's commitment to Fiscal Responsibility.

**COMMUNICATION STRATEGY:**

A letter of award will be sent to the successful proponent. Letters will also be issued to the affected residents and business owners along the project extents. An award summary will be posted to the relevant procurement websites.

**MOTION:** Councillor: \_\_\_\_\_

Moves that the award for the 2023 & 2024 New Trail Development, Roadway Rehabilitation, Sidewalk Rehabilitation and Other Work Request for Tender be awarded to Ruby Rock Asphalt Works Ltd. Ltd. for the amount of \$1,231,154.97 excluding GST.

Seconder Councillor: \_\_\_\_\_

  
Prepared by:  
Kelcie Wilson, C.E.T.  
Capital Project Manager

Kevin Blanchett  
Reviewed by:  
Kevin Blanchett  
Acting Director of Infrastructure Services

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