



**REGULAR COUNCIL MEETING MINUTES
OCTOBER 9, 2018 – 2:00 P.M.
THE HUB**

PRESENT:

Mayor	K. Craig
Councillors	B. Simpson, D. Lloyd, B. Pauls, J. Abrey, B. Chapman, R. Hohm
Administration/Staff	K. Hastings, K. Bly, K. Beauchamp, C. Mills, S. Croil, T. Koba C. L'Hirondelle
Recording Secretary	L. Unger
Media	S. Ashbee – Sunny South News
Gallery	R. Dyck - ORRSC

ITEM 277 1.0 CALL TO ORDER

- Mayor Craig called the meeting to order at 2:00 p.m.

ITEM 278 1.1 CONFLICT OF INTEREST DECLARATION

- Mayor Craig inquired as to any pecuniary or non-pecuniary interest in the meeting.
None declared.

ITEM 279 2.0 ADDITIONS TO/ADOPTION OF THE AGENDA

- Addition of Item 12.2 Legal Matter for discussion during the Closed Meeting session.

MOTION 320.18 *Councillor Simpson moved that Council accept the October 9, 2018, Agenda as amended.*

7-0 Carried

ITEM 280 3.1 REGULAR COUNCIL MEETING MINUTES – SEPTEMBER 24, 2018

MOTION 321.18 *Councillor Chapman moved that Council accept the September 24, 2018, Regular Council Meeting Minutes as presented.*

7-0 Carried

**ITEM 281 4.1 COMMUNITY SAFETY ADVISORY COMMITTEE – TERMS OF REFERENCE
– FOLLOW-UP – K. HASTINGS**

- Councillor Abrey moved that Council approve the proposed Terms of Reference.
- Councillor Chapman requested clarity on the opening Vision, further asking if that is a broad statement or if it was the vision of Council? CAO Hastings responded that this Vision was derived from the Council Strategic Plan.
- Councillor Chapman further inquired about section 5.0 Composition; asking if section (b) the last sentence is reference to singular or plural Council members. CAO Hastings responded that it would be better worded as “*However, members of Council cannot occupy both the Chair and Vice-Chair positions.*” Councillor Abrey accepted this as a friendly amendment.

MOTION 322.18 ***Councillor Abrey moved that Council approved the proposed Terms of Reference as amended.***
7-0 Carried

ITEM 282 7.1 AUGUST 2018 BANK RECONCILIATION – K. BEAUCHAMP

- Mayor Craig introduced Kyle Beauchamp, newly appointed Director of Corporate Services.
- K. Beauchamp presented the August bank reconciliation.
- Councillor Chapman inquired about page 3, asking what the “*less outstanding cheques*” is referencing? K. Beauchamp explained that this represents cheques written but are not yet cashed.

MOTION 323.18 ***Councillor Simpson moved that Council Approve the Bank Reconciliation for the month of August 2018.***
7-0 Carried

ITEM 283 7.2 COALDALE & DISTRICT HANDI-RIDE ASSOCIATION – CEASE OF OPERATIONS – K. HASTINGS

- CAO Hastings summarized the correspondence, noting that the Coaldale & District Handi-Ride Association provided notice to the Town that they will be ceasing operations effective December 31, 2018.
- CAO Hastings further added that it was his recommendation to Council that they direct that this discussion matter be added to Council Strategic Planning retreat and brainstorm on best how to respond.
- Mayor Craig further suggested that a letter be sent to the Handi-Ride Association to thank them for their years of service to our community, and to inform them that Council will discuss the matter further to decide the disposal of assets and steps moving forward.

MOTION 324.18 ***Councillor Chapman moved that Council receive the report as information, FURTHER to respond to the Handi-Ride Association and***

FURTHER to add this matter to the agenda at the Council Strategic Planning.

7-0 Carried

ITEM 284 7.3 SAEWA – REQUEST FOR LETTERS OF SUPPORT TO SAEWA GRANT APPLICATION – K. CRAIG

MOTION 325.18 Councillor Chapman moved that Council provide two letters of support to SAEWA’s grant applications to ACP.

7-0 Carried

ITEM 285 0.1 PUBLIC HEARING: 2:10PM, Land Use Bylaw 744-P-09-18 – Rezoning Industrial Lagoons, C. Mills, R. Dyck

- Mayor Craig declared the Public Hearing open on the Rezoning of the Industrial Lagoons at 2:14pm.
- There was nobody present to speak to the matter. Mayor Craig asked again to those in the audience, if they wish to speak to the matter. No response was received.
- Mayor Craig declared the Public Hearing closed at 2:17pm.

MOTION 326.18 Councillor Hohm moved that Council approve SECOND reading of Land Use Re-designation bylaw 744-P-09-18.

7-0 Carried

MOTION 327.18 Councillor Hohm moved that Council approve THIRD and FINAL reading of Land Use Re-designation bylaw 744-P-09-18.

7-0 Carried

ITEM 286 6.4 PROPOSED LAND USE BYLAW 748-P-10-18 – RE-ZONING UNDEVELOPED PARCEL IN COTTONWOOD – C. L’HIRONDELLE

- C. L’Hirondelle, Development & Environmental Services Manager, presented on the matter, adding that the public hearing for this item will be on November 13, 2018.
- Councillor Chapman asked for clarity on what “IR” represents? C. L’Hirondelle responded that this represents “Institutional Recreation”, which is the green space of where the pond is.

MOTION 328.18 Councillor Simpson moved that Council move FIRST reading of Land Use Re-designation Bylaw 748-P-10-18. Further, that Council establishes a public hearing date, in accordance with its obligations under section 606 of the Municipal Government Act [2000], for the Council meeting of November 13th, 2018.

7-0 Carried

ITEM 285 8.1 SEPTEMBER 2018 DEVELOPMENT STATISTICS – C. L’HIRONDELLE

**ITEM 286 8.2 DEVELOPMENT STATISTICS FOR 3RD QUARTER FOR PAST 5 YEARS
- C. L'HIRONDELLE**

**MOTION 329.18 *Councillor Lloyd moved that Council receive the Development Statistics in items 8.1 and 8.2 as information.
7-0 Carried***

**ITEM 287 9.1 MINISTER OF JUSTICE & SOLICITOR GENERAL – SUPPORT TO RCMP
70/30 COST SHARE AGREEMENT - K. CRAIG**

**MOTION 330.18 *Councillor Pauls moved that Council receive the correspondence as information.
7-0 Carried***

**ITEM 288 11.1 MUNICIPAL AFFAIRS – MINISTER'S AWARD FOR EXCELLENCE IN
PUBLIC LIBRARY SERVICE
11.2 ALBERTA HEALTH SERVICES – INFLUENZA VACCINATIONS**

**MOTION 331.18 *Councillor Simpson moved that Council receive Items 11.1 and 11.2 as information.
7-0 Carried***

- Mayor Craig called for a recess 2:27pm, to reconvene at 3:00pm for the Public Hearing.
- Mayor Craig reconvened the meeting at 3:00pm, explained the guidelines for the Public Hearing.

**ITEM 289 0.2 PUBLIC HEARING: 3:00PM, LAND USE BYLAW 746-P-09-18 –
CANNABIS, C. MILLS**

- Mayor Craig declared the Public Hearing open at 3:02pm.
- C. Mills, Manager of Economic & Community Development presented on the matter.
- R. Dyck, from Oldman River Regional Services Commission (ORRSC), presented on the matter. Mr. Dyck highlighted the varied approaches other communities in the region are taking with respect to cannabis retail store regulation and noted the complexity of the issue given its multi-jurisdictional nature, noting that as a general rule municipality avoid overstepping jurisdictional lines.
- S. Croil, Director of Planning & Community Development, shared that several letters have been received and have all been forwarded to Council by L. Unger, Legislative Coordinator.
- Councillor Chapman inquired about items G and H;

G) Delete the Medical Marihuana and Medical Marihuana Production Facility definitions, add a definition for Cannabis Production Facility along with associated development standards, and list Cannabis Production Facility as a discretionary use in the Industry – I land use district;

H) to address other minor administrative matters.

- Councillor Chapman further added that some municipalities are implementing direct control vs discretionary. Under item H, would it be appropriate to include the direction of AHS as informative? C. Mills responded by indicating that the land use bylaw is for staff to use on a daily basis as an operational tool, and therefore adding information about recommended setback restrictions would likely be confusing if the use in question was simply prohibited regardless of setbacks. For that reason Mr. Mills suggested that the AHS guidelines not be included in the land use bylaw if the bylaw is passed in its current form.
- Nellie Slingerland – indicated she is opposed to the retail sale for health reasons.
- Lance Unser – in favor for retail sale based on Chamber of Commerce’s support to the matter.
- Cornelius Van Spronson – against personal use but does not see how can be treated differently than smoking.
- Wes Olson – Police Officer for 27 years, not a personal user but in favor of retail sale so that we can benefit from the tax income and that people are not purchasing from the streets.
- Tyler Sera – not a personal user but in favor of retail sale from business perspective. Town offers tax breaks for new business, but we push away when it does not suit our values. We are sending business to Lethbridge.
- Barb Goertzen – in favor of retail sale. Young people can trust a retail outlet as opposed to buying on the streets.
- Stan Ashbee – expressed his personal opinion of being in favor of retail sale. Kids are already using it, this won’t change that.
- Mayor Craig asked again if anyone was interested in speaking to the matter that had not already done so. No responses were received.
- Mayor Craig recessed the Public Hearing at 3:35pm and scheduled to resume at 6:00pm.
- There was 24 people in attendance, plus 5 staff in the audience.

ITEM 290 12.0 CLOSED MEETING

MOTION 332.18 Councillor Lloyd moved that Council go into closed meeting at 3:38 p.m.

7-0 Carried

In addition to Council and the CAO, the following persons were in attendance during the in-camera session to provide information and/or administrative support: S. Croil, C. Mills.

MOTION 333.18 Councillor Hohm moved that Council come out of closed meeting at 4:51 p.m.

7-0 Carried

**ITEM 291 CONTINUATION OF PUBLIC HEARING: 6:00PM, LAND USE BYLAW
746-P-09-18 – CANNABIS, C. MILLS**

- Mayor Craig resumed the Cannabis Public Hearing at 6:00pm.
- There were 24 people present, including Global News.
- C. Mills presented on the matter, further sharing R. Dyck's notes that were shared earlier.
- S. Croil shared that several letters have been received and have all been forwarded to Council by L. Unger, Legislative Coordinator.
- Stephanie Martin – in favor of retail sale. By banning from our community, won't stop residents from purchasing cannabis and will force residents to Lethbridge.
- Werner Janzen – not in favor of retail sale for reasons related to health and impairment.
- Everett Duerksen – speaking as President of Coaldale Chamber, read letter shared with Council earlier today. Chamber is in favor of retail sale for economic reasons.
- Maureen Remus – not in favor of retail sale, further sharing concern of effects on young people.
- Jack Van Rijn – in favor of retail sale for economic reasons and supportive of retail made cannabis instead of that made on the streets with contaminants.
- Mayor Craig asked if anyone else would like to speak to the matter.
- Councillor Abrey requested that administration further explain what direct control is. C. Mills explained that a direct control district is a zoning that allows Council to act as the body of development authority, instead of delegating that authority to the Development Officer or Municipal Planning Commission. In this case, each individual application would be considered by Council based on its individual merits prior to being granted approval.
- Mayor Craig asked for a direct control example. C. Mills explained that he prepared an alternative amendment that is based on Council's concerns relating to public health. The alternative, based on recommended guidelines from Alberta Health Services (AHS), includes setback restrictions of 100 meters from provincial health care facilities and liquor stores; 300-meters from community gathering centres like child care facilities, parks, playgrounds, arenas, and schools; and a 500-meter setback between Cannabis retail stores. A colored map was presented to illustrate what this may currently look like. C. Mills further added that AHS also recommend to limit hours of operation beyond the base limits set out by the AGLC.
- Councillor Chapman inquired about how a store would be impacted if a daycare or new school was approved. Mr. Mills responded that typically a buffer is applied both ways, so once a store is approved it may limit the ability to place other types of uses within a certain radius, unless stated otherwise. Regardless of this, once a store is approved it typically remains approved regardless of what is developed around it at a latter date.
- Councillor Hohm inquired if there is another map from AGLC, that shows their restrictions? Mr. Mills responded they looked at previous minimum requirements of 100 m from schools and provincial health facilities. AGLC does not have restrictions on daycares. Mr. Mills indicated that Council reviewed this information during a previous review of the matter in July, but does not have the map immediately available.
- Mayor Craig asked again if anyone would like to speak to the matter.
- Mayor Craig declared the Public Hearing concluded at 6:33pm.
- Councillor Hohm suggested the following motion:

Councillor Hohm moved that Council amend Bylaw 746-R-09-18 to include direct control and establish the Alberta Gaming & Liquor Commission minimum setback guidelines, and subsequently move SECOND reading of amended Bylaw 746-R-09-18 to amend the Town of Coaldale Land Use Bylaw 677-P-04-13.

- Mayor Craig asked S. Croil how this would affect the setbacks. S. Croil responded that it would change the land use bylaw and any cannabis retail sale application would have to be reviewed on an as per basis. S. Croil suggested an additional schedule be included in the Land Use Bylaw, called Cannabis regulations, indicating that Council is the decision-making body, if things change at a federal level, would help keep concise in bylaw.
- Councillor Chapman indicated difficulty of motion although he did indicate support to direct control. The AHS recommendations would benefit our community and I ask that those recommendations be included in the motion.
- Councillor Lloyd indicated her agreement with Councillor Chapman, we should respect views of AHS. They have done their research.
- Mayor Craig indicated he would not support the motion as presented, as it does not give parameters. It would be very difficult for a business to be successful.
- Councillor Pauls asked Councillor Hohm if he would accept a friendly amendment to add the AHS recommendations. Councillor Hohm responded that the reason he doesn't want AHS recommendations as the map says we are closed for business. AGLC guidelines would be helpful. AHS is so broad and shuts down main street and most of the industrial. I would be supportive of AGLC but not AHS.
- Councillor Hohm noted that the motion is to include AGLC guidelines which includes 100 meters from schools and provincially owned health facilities. This does not include doctor offices.
- Councillor Simpson inquired if there is any coverage for arena, park or child care.
- Councillor Pauls inquired if we can we change to 150 meters? C. Mills indicated yes, we can adjust to whatever Council wishes.
- Councillor Lloyd shared that this was lots of information and would like more time. Can we postpone this decision?
- Councillor Abrey asked what are the consequences? We have to make decision tonight. We don't have time to reconvene.
- Councillor Simpson noted that she was uncomfortable without mention of playgrounds in the motion, further asking Councillor Hohm if he would make an amendment to include playgrounds at 200 meters instead of 300 meters? Councillor Hohm added that the reason he was in favor of the AGLC guidelines, is that this is what liquor stores follow today. Further adding that he sees no difference between tobacco or cannabis sales.
- Councillor Chapman shared that he is struggling with AGLC guidelines. I want to ensure that peoples health and safety are utmost. I will be sticking with the AHS services recommendation.
- C. Mills displayed another map indicating the 100-meter separations that are the minimum standards set out by AGLC, as reviewed by Council in July.
- Mayor Craig asked C. Mills for clarification on the difference between retail sales and commercial production in the industrial park. C. Mills responded that one of the eight

amendments proposed to the Land Use Bylaw, indicated allowing of commercial production of cannabis in the industrial park. C. Mills indicated that allowing this type of use is not anticipated to substantially impact public health and was deemed appropriate as a discretionary use in the industrial district.

- Mayor Craig asked C. Mills for the recommendation between cannabis stores. C. Mills responded that this recommendation is 500 meters. Research dictates that clustering of this type of development is detrimental with potential impact as praying on at risk parts of society. The buffer should be substantial and is not reflected in the AGLC minimum required standards, but is in fact generally considered to be the most important setback from a long term public health perspective based on information from senior members of Alberta Health Services.
- Councillor Chapman inquired about AHS vs AGLC, asking if they are planning their setbacks based on density? C. Mills responded that this would suggest to you that there is no exact science. No statement that one is better than the other, they are just different. Councillor Chapman added that if there was a compromise, do you have a map that would summarize that? C. Mills added that the AHS guidelines are created with the protection of public health as their key priority. C. Mills noted that he does not have access to technology that would allow him to custom create maps during a meeting.
- Councillor Simpson inquired if it is true that AHS regulations are at 300m, what if is changed later, is it harder to amend our bylaw later? C. Mills responded that it is usually easier to start out stricter to start rather than the opposite. The difficulty to beginning, once a store is approved, changing the rules won't impact after it has already happened. We need a set of rules that we can live by. We are going to be changing the Land Use Bylaw over the next few years on this topic.
- Mayor Craig inquired if a business looking to open a retail, be looking for a waiver on a setback? C. Mills responded, yes. The setbacks could be waived by Council. C. Mills clarified that, if there are locations in Town that seem like the obvious decision of Council would be to deny an application. then as a staff member he would rather know that in advance given that the permitting process is expensive and non refundable to the applicant. Mr. Mills indicated that he believes that he owes it to the taxpayer to be forthright with them throughout the permitting process.

MOTION 333.18

Councillor Hohm moved that Council amend Bylaw 746-R-09-18 to include Direct Control and Alberta Gaming & Liquor Commission guidelines and subsequently move SECOND reading of amended Bylaw 746-R-09-18 to amend the Town of Coaldale Land Use Bylaw 677-P-04-13.

2-5 Defeated

Councillor Hohm and Councillor Pauls in favor.

Councillor Lloyd, Councillor Abrey, Mayor Craig, Councillor Simpson,

Councillor Chapman opposed.

- Councillor Simpson suggested the following motion:

Councillor Simpson moved that Council amend Bylaw 746-R-09-18 to include direct control and Alberta Health Services guidelines and

subsequently move SECOND reading of amended Bylaw 746-R-09-18 to amend the Town of Coaldale Land Use Bylaw 677-P-04-13.

- C. Mills presented an alternative slide for review to allow for clear direction with direct control, based on AHS guidelines based on a commercial district application. Mr. Mills indicated that the guidelines could be restructured to apply to the Direct Control district. Mr. Mills highlighted that those suggested regulations included limiting hours of operations from 10am to 9pm, noting that while AHS had recommended regulating hours of operation no clear guidelines for those regulations were included in the communications from AHS, and therefore recommended that Council consider what hours of operations would be most appropriate for Coaldale.
- C. Mills also suggested that Council consider the impact of buffers, particularly around child care facilities, and that Council consider whether they would like buffers to apply both ways, noting a 300m buffer would functionally create a 9 square block area where childcare facilities would not be approved.
- Councillor Chapman, speaking in favor of motion. We can make those amendments on the hours? Can that be addressed later or now? C. Mills indicated his recommendation would be to set guidelines now and review periodically.
- Mayor Craig inquired with Councillor Simpson, asking if she would accept a friendly amendment with deletion of F, G and specify hours? Councillor Simpson responded that she would be comfortable with the amendment to F and G, but would choose hours from 10am to 10pm.
- Councillor Abrey inquired if under direct control and a business wants to go from 10am until midnight, is that a consideration? C. Mills indicated that while yes, they could be altered, these rules are generally applied universally as a matter of principle and that he would always recommend they be applied consistently to all applications.

MOTION 334.18 Councillor Simpson moved that Council amend Bylaw 746-R-09-18 to include Direct Control and Alberta Health Services guidelines, with addition of the new schedule; Land Use Bylaw 677-P-04-13 (Cannabis Regulations), and subsequently move SECOND reading of amended Bylaw 746-R-09-18 to amend the Town of Coaldale Land Use Bylaw 677-P-04-13.

4-3 Carried

***Councillor Lloyd, Mayor Craig, Councillor Simpson, Councillor Chapman in favor.
Councillor Pauls, Councillor Abrey, Councillor Hohm opposed.***

MOTION 335.18 Councillor Chapman moved that Council amend Bylaw 746-R-09-18 to include Direct Control and Alberta Health Services guidelines, with addition of the new schedule; Land Use Bylaw 677-P-04-13 (Cannabis Regulations), and subsequently move THIRD and FINAL reading of amended Bylaw 746-R-09-18 to amend the Town of Coaldale Land Use Bylaw 677-P-04-13.

4-3 Carried

***Councillor Lloyd, Mayor Craig, Councillor Simpson, Councillor Chapman in favor.
Councillor Pauls, Councillor Abrey, Councillor Hohm opposed.***

ITEM 291 6.2 PROPOSED CANNABIS CONSUMPTION BYLAW 745-R-09-18 (2ND, 3RD READINGS) – C. MILLS

- C. Mills presented on the matter. The bylaw includes a fine schedule that would allow peace officers to issue fines. The bylaw would limit residents to consume cannabis in front and back yards, private property, indoors or out.

MOTION 336.18 *Councillor Pauls moved that Council pass SECOND reading of the Cannabis Consumption Bylaw 745-R-09-18.*
7-0 Carried

MOTION 337.18 *Councillor Hohm moved that Council pass THIRD and FINAL reading of the Cannabis Consumption Bylaw 745-R-09-18.*
7-0 Carried

ITEM 292 12.1 CAO REPORT – K. HASTINGS (FOIP SECTIONS 16, 17, 23 AND 24)

ITEM 293 12.2 LEGAL MATTER – K. HASTINGS (FOIP SECTIONS 16, 17)

MOTION 338.18 *Councillor Simpson moved that Council receive the CAO Report and the Legal Matter as information.*
7-0 Carried

MOTION 339.18 *Councillor Chapman moved that Council adjourn at 7:09 p.m.*
7-0 Carried

Kim Craig, MAYOR

KALEN HASTINGS, CAO