



**REGULAR COUNCIL MEETING MINUTES
MAY 23, 2017 – 5:30 PM
COUNCIL CHAMBERS**

PRESENT

Mayor	K. Craig
Councillors	J. Abrey, B. Chapman, S. Duda, R. Hohm, B. Martens, J. Van Rijn
Administration/Staff	K. Hastings, M. Overbeeke, M. Murphy, T. May, K. Tuttle
Recording Secretary	K. Bly
Media	J.W. Schnarr
Gallery	C. Van Raalte, C. Van Dyk

Mayor Craig called the meeting to order at 5:30 p.m.

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

ITEM 113 2.0 ADDITIONS TO/ADOPTION OF THE AGENDA

- Mayor Kim noted Agenda Item #4.1 has been removed from the meeting agenda.

**MOTION 216.17 *Councillor Martens moved the Agenda be approved as amended.
7-0 Carried***

ITEM 114 3.1 REGULAR COUNCIL MEETING MINUTES OF May 8, 2017

**MOTION 217.17 *Deputy Mayor Van Rijn moved to accept the May 8, 2017 Regular
Council Meeting minutes.
7-0 Carried***

ITEM 115 4.2 Election- Nomination Deposit - K. Hastings

- CAO Hastings provided an overview of the request for decision asking if Council would like to consider including a Nomination Deposit of \$100 as part of the Candidate Election Nomination for the upcoming October 2017 municipal election as part of the Election Bylaw 729-GE-

05-17. If implemented, the deposit would be returned if the candidate was declared elected, if the candidate withdraws in accordance with the *Local Authorities Election Act* or if the candidate receives at least half the number of votes as the candidate elected with the least number of votes. If the candidate does not meet the qualifications the deposit is paid into the general revenue of the Town of Coaldale.

- Mayor Craig noted the bylaw is currently written without the \$100 deposit. He asked if there were any members of Council that would like to see the deposit incorporated.
- Councillor Duda spoke against including the \$100 deposit saying she doesn't feel it is necessary as it just creates another level of paperwork and bureaucracy. If a candidate is not elected and doesn't receive their deposit back, based on the number of votes, she doesn't see the point.
- Councillor Chapman questioned if the motion does not pass to include the deposit, then the election bylaw will not have to be amended.
- Mayor Craig said that is correct.
- CAO Hastings noted the only urgency for the decision tonight is a desire to get the nomination packages out by the end of the month. The only remaining decision is whether or not to include the deposit.
- Councillor Abrey spoke in favour of the \$100 deposit as he feels it shows people are serious about representing themselves as a councillor.
- Mayor Craig said he was not in favour of the deposit as there hasn't been an issue in previous elections with insincere candidates coming forward. The Town hasn't experienced any attacks on the democratic process in the Town's history. Based on past experience he said he would not be in favour of this sort of barrier.
- Deputy Mayor Van Rijn asked if L. Unger had done any research into communities who use the deposit.
- CAO Hastings said it not unheard of, at a recent training session L. Unger attended there were municipalities that have a deposit in place. He suggested it is still less than 50 per cent and for communities of similar size to Coaldale approximately 4 in 10 are doing it. It is more common in larger municipalities.
- Mayor Craig doesn't have a tax payers' group unlike some larger municipalities which has been known to put multiple candidates up for nomination.
- CAO Hastings said that is one of the reasons for bringing the bylaw forward.
- Deputy Mayor Van Rijn asked for clarification on that issue.
- Mayor Craig noted Coaldale doesn't have a group that is mobilized to address issues with Council in the form of putting forth candidates as is the case in some municipalities.

- Councillor Chapman questioned if it could be received as information and not go to first, second or third reading.
- Mayor Craig said if received for information it would indicate it is not being included in the bylaw.
- Councillor Martens moved to go to first reading.
- CAO Hastings said the motion would be for the election bylaw, whether to include or not the \$100 deposit.
- Councillor Martens withdrew his motion.
- Mayor Craig deferred the item until the bylaw was slated to come up in the agenda.

ITEM 116 4.3 Composting Update & RFP Results - C. L'Hirondelle

- C. L'Hirondelle, Development and Environmental Services Manager, provided Council with an update on the curbside composting and the results of the request for proposal. Following up on the directive from Council at the April 10 meeting where the purchase of the 240 L bins were approved and administration was directed to follow-up with a possible re-tender, she noted new tender documents were sent out on April 12. Only one submission was received by the April 26 closing date. The bins will be delivered between February 12 and 23, 2018 with pick-ups to begin the week of March 5, 2018.
- Councillor Martens asked if the quote would fit within the approved budget and are the same bins being provided.
- C. L'Hirondelle indicated yes to both questions.
- Councillor Martens questioned if it was the same company as the recycling bins.
- C. L'Hirondelle said yes and noted a bin and a kitchen catcher are on display in the lobby of the town office.
- Mayor Craig questioned if C. L'Hirondelle was comfortable with the roll out dates as per Councillor Hohm's previous concerns with ice and snow during February.
- C. L'Hirondelle said she looked back on the weather over the past two years and noted there can be a big difference in the weather from year to year. If the roll out were to be held off for a month it might run into an early spring. With a February roll-out and an early spring the bins would be in place to catch spring clean-up.
- Councillor Duda questioned if the contractor is in place for pick up or if that still has to be decided.
- C. L'Hirondelle said the current contractor will be used but that contract expires at the end of this year with an option to extend for two years so that decision will still have to be made on the extension or if it will go to tender again.

- Councillor Martens questioned now with three bins will pick-up be taking place on three different days.
- C. L'Hirondelle said No, pick-up days will remain the same. There will be two trucks running, picking up recycling and composting on the same day.

MOTION 218.17

Councillor Chapman moved that Council direct administration to execute the curbside composting agreement and incorporate the expenditure into the 2018 budget.

7-0 Carried

ITEM 117 4.4 Q & A Follow-up – K. Hastings

- CAO Hastings followed up on a question from the May 8, 2017 Council meeting about cutting off the line-up at 8 p.m. the night of the municipal election. He noted according to Municipal Affairs a deputy returning officers can stand at the end of the line at 8 p.m. to mark it. Anyone in the line at the point will be allowed to vote. Anyone who tries to join the line after that point, will not be allowed to vote.

MOTION 219.17

Councillor Abrey moved to receive the Q & A Follow-Up from May 8, 2017 Council Meeting for information.

7-0 Carried

ITEM 118 5.1 Delegation 5:45pm: Coaldale Christian School – Naming of Park

- C. Van Dyck noted the playground is almost completed and they are working on the signage for the site. Looking for approval before it is sent off to be completed. The Grand Opening is slated for June 16.
- Mayor Craig thanked the school for their invitation to the opening and noted the information for tonight's presentation was included in the Council agenda package.
- Councillor Chapman expressed appreciation for all the work done on the playground project and the Family Fun Run.
- Councillor Martens questioned the wording and formatting of the sign.
- C. Van Dyck noted it was a draft and they are going to finalize it before it is created.
- C. Van Raalte said it is also being sent out to all the participants in the projects to approve the sign.
- Deputy Mayor Van Rijn also noted a spelling error.
- C. Van Dyck said they will be spell checking it again.
- C. Van Raalte said they were also looking for a name for the playground. As there is a large element in the playground they came up with the name Pinnacle Park.

- Councillor Martens noted the suggested name made him smile as Coaldale already has a Taylor Mountain and now a Pinnacle Park.
- C. Van Raalte said they were trying to come up with something cohesive with the other parks in the community.
- Delegation done at 6:00pm.

MOTION 220.17 ***Councillor Chapman moved Council endorse the name of Pinnacle Park for the new Coaldale East Playground and the presented text for the site signage.***

7-0 Carried

Mayor Craig called a brief recess to allow for a photo to be taken with the Family Fun Run certificate presented to Council.

ITEM 119 6.1 Bylaw 725-R-03-17 Community Standards Bylaw- M. Murphy

- M. Murphy, Director of Emergency Services, reviewed the Community Standards Bylaw 725-R-03-17 noting it was coming before Council for Second and Third Reading. He noted the public hearing was held on April 24. Following that meeting Administration reviewed the bylaw and made necessary changes requested by Council.
- He added, concerns were raised by Council regarding section 211, sub section 3, (b) which deals with the parking of recreational vehicles on town streets for no more than 72 consecutive hours.
- He said Council directed administration to clarify this section and administration requested and received advice from the Alberta Solicitor General, the town’s legal advisor and the AUMA Municipal Services Cooperation Insurance program. He reviewed the information received and its impact on the bylaw.
- AB Traffic Safety Act sections 76 (2), (a), “A vehicle that is left standing on a highway for more than 72 consecutive hours, unless otherwise provided for in a bylaw in the case of a highway under the direction, control and management of the council of a municipality, ... is deemed to have been abandoned at that location.”
- Section 77(1) (a) states, “A peace officer may cause any vehicle to be removed and taken to and stored in a suitable place when the vehicle is, (a) is abandoned under section 76.
- Definitions: “trailer” means a vehicle so designed that it (i) may be attached to or drawn by a motor vehicle or tractor, and (ii) is intended to transport property or persons, and includes any vehicle defined by regulation as a trailer...;
- “vehicle”, other than in Part 6, means a device in, on or by which a person or thing may be transported or drawn on a highway and includes a combination of vehicles but does not include a mobility aid.

- Under enforcement he noted: AB Solicitor General confirmed if a provincial statute exists a local bylaw cannot override the provincial statute. The town cannot extend the time period of the provincial statute but can make the time limit more restrictive if so desired, i.e., 24 hours, 48 hours. Additionally, the town can decide to enforce the bylaw at the town's discretion.
- Looking at the Municipal Bylaw Exemption he said the town's Legal advisor reviewed AB Traffic Safety Act and bylaws from approximately 30 municipalities in AB.
- While section 76(2)(a) does make provision for a municipal bylaw that allows for an exception to the 72-hour limit, the intention behind that exception appears to be for unique circumstances, generally where specific permission has been obtained from the municipality's chief engineer or CAO.
- It would not be a general provision allowing longer term residential street parking.
- Town bylaw 570-R-11-06, "Traffic Control and Dangerous Goods", paragraph 12 subsection 15, currently provides for a municipal bylaw exemption.
- Reviews of bylaws from other municipalities found that none allow for recreational vehicle parking on residential streets for longer than the statutory 72 hours.
- Many limit the time to 24 hours or even 48 hours, and then require that the vehicle be moved, some for a specified period before it can be parked on the street again.
- From a policy standpoint, Coaldale would be an outlier if it allowed recreational vehicles to park longer than 72 hours on residential streets without moving.
- From a legal standpoint, there is room for an exception to the 72 hours statutory rule in the Act,
- for exceptional circumstances approved by a municipality official, not a general provision allowing the municipality to exceed the 72-hour limit
- The Act is designed to prevent recreational vehicles from blocking streets and signs, and from becoming unofficial residences taking up on street parking.
- Town Legal advice to Council would be to maintain the limitation at the provincial statutory standard of 72 hours maximum
- Unless there are significant policy reasons for doing so, maintaining the statutory 72 benchmark is preferable.
- From a liability standpoint, there is potentially a liability (negligence) exposure for the town.
- The current town bylaw, "Traffic Control & Dangerous Goods Bylaw" 570-R-11-06 could be contrary to the standards of the Traffic Safety

Act and allowing trailers to remain parked unattended for an infinite length of time may be deemed to be hazardous.

- Councillor Chapman suggested the vocabulary use of hazardous. If an unattended trailer is left out on a street it could be a hazard even for two hours.
- M. Murphy noted in this context, within the 72-hours follows the Traffic Safety Act.

MOTION 221.17 ***Deputy Mayor Van Rijn moved that Council approve Second Reading of Bylaw #725-R-03-17, the Community Standards Bylaw.***
7-0 Carried.

MOTION 222.17 ***Councillor Hohm moved that Council approve Third Reading of Bylaw #725-R-03-17, the Community Standards Bylaw.***
7-0 Carried.

ITEM 120 **6.2** **Bylaw 729-GE-05-17 Election Bylaw- K. Hastings**

- CAO Hastings introduced Bylaw 729-GE-05-17, the Election Bylaw for the purpose of conducting the upcoming 2017 Election. This is the encompassing bylaw to cover the requirements for the election including the Electronic Tabulator, the printing of the ballots for the tabulator, Advance Voting, Institutional Voting and Incapacitated Voting.
- He noted the one outstanding item was the \$100 deposit and any other issues Council may wish to raise. If the bylaw is approved without amendment the \$100 deposit will not be included.

MOTION 223.17 ***Councillor Chapman moved that Council approve First Reading of Bylaw #729-GE-05-17, the Election Bylaw.***
6-1 Carried
B. Chapman, K. Craig, S. Duda, R. Hohm, B. Martens, J. Van Rijn, voted in favour of the motion; J. Abrey voted against the motion.

MOTION 224.17 ***Councillor Duda moved that Council approve Second Reading of Bylaw #729-GE-05-17, the Election Bylaw.***
6-1 Carried

B. Chapman, K. Craig, S. Duda, R. Hohm, B. Martens, J. Van Rijn, voted in favour of the motion; J. Abrey voted against the motion.

MOTION 225.17 **Councillor Martens moved that Council approve unanimous consent to give all three readings of Bylaw #729-GE-05-17, the Election Bylaw.**
7-0 Carried

MOTION 226.17 **Councillor Chapman moved that Council approve Third Reading of Bylaw #729-GE-05-17, the Election Bylaw.**
6-1 Carried

B. Chapman, K. Craig, S. Duda, R. Hohm, B. Martens, J. Van Rijn, voted in favour of the motion; J. Abrey voted against the motion.

Deputy Mayor Van Rijn left the meeting at 6:08 p.m.

ITEM 121 7.1 Budget Variance Report- April 2017- M. Overbeeke

- M. Overbeeke, Director of Financial Services, provided an overview of the monthly variances from the current year’s capital and operating budgets. For the most part, she noted the variances are due to items that come into the budget at the end of the year and the Town is well within its budget and has started the year off well.
- Mayor Craig expressed appreciation to M. Overbeeke for all of her hard work in keeping the Town on budget.

MOTION 227.17 **Councillor Duda moved that Council approve the April 2017 Capital and Operating Budget variance reports as presented.**
6-0 Carried.

Deputy Mayor Van Rijn returned to the meeting at 6:09 p.m.

ITEM 122 7.2 Three for Free Program- M. Overbeeke

- M. Overbeeke, Director of Financial Services, provided Council with a tax exemption follow-up on the Three for Free program. It is getting close to the end but a motion is needed to allow for tax exemption for the three businesses involved.

MOTION 229.17 **Councillor Duda moved that WHEREAS section 347 of the Municipal Government Act allows Council to cancel or refund all or part of a tax; AND WHEREAS Council believes it is equitable to cancel or reduce non-residential taxes for the purpose of stimulating economic development in Coaldale; AND WHEREAS Council believes increased commercial and industrial development will benefit the community by diversifying its tax base;**

NOW THEREFORE, be it resolved that Council exempt the following properties from municipal taxation for 2017:

Roll #225122100 (NC Wine and Spirits)

Roll #1000010427 (Nudura)

Roll #225152100 (Fas Gas)

7-0 Carried.

ITEM 124 7.3 Federation of Canadian Municipalities Asset Management Program Preventative Maintenance- Fleet, Road, Water, Sewer and Facilities Assets – K. Tuttle

- K. Tuttle, Fleet and Assets Manager, introduced a grant opportunity from the Federation of Canadian Municipalities' Municipal Asset Management Program for the development of a Preventative Maintenance Program for Fleet, Road, Water, Sewer and Facilities Assets.
- The program provides funding of \$50 million over the next five years. Application is continuous over the five years, so the Town can apply as needed. She noted the grant is timely for the Town as it has already starting down the road with the Bellamy software project for asset management.
- She provided an overview of the grant program, noting it is based on continuous improvement which is also the base of the Town's new approach to asset management. She asked Council to consider four applications under the program. The first for preventative maintenance programs for fleet, road, water, sewer and facilities assets. The second to advance the Town's asset management program through configuration and implementation of the Serenic Cost Module. The third for configuration and implementation of the Serenic Inspections Module and the fourth to develop an asset condition assessment program for fleet, road, water, sewer and facilities assets.
- CAO Hastings said he part of the cross-management team working with K. Tuttle on asset management. From his perspective he has found it to be a very satisfying project to see a lot of different disciplines providing the insight relevant to a program that everyone is going to benefit from. It is not just an accounting exercise. He expressed special thanks to K. Tuttle for her leadership with the program. The grant funds will make it easier and quicker for the Town to reach their asset management goals.
- Councillor Martens questioned the four applications noting the total for the Town comes to about \$91,000. He asked if it was in the Town's budget.

- K. Tuttle said the funds are already allocated in the Town's budget. The modules for Bellamy were already approved. The bulk of the programs will involve time by staff which is already in the budget.
- Councillor Martens said he wanted to clarify the funds were not coming out of reserve funds. He also asked what the chance was that the Town would receive the grant funding, is it a given or by lottery.
- K. Tuttle said she was not sure of the Town's chances of getting funding as the grant program is available across Canada so a number of municipalities will be making applications. Her thought is, being a smaller municipality, Coaldale hasn't had the resources to develop its asset management. They are becoming mandatory, and future grant funding will make asset management a requirement. With Coaldale being smaller, with a low level of asset management, she is hoping the Town will receive funding over municipalities that already have programs in place.
- Mayor Craig clarified the need for four resolutions by Council.

MOTION 230.17

Councillor Martens moved, be it resolved that Council directs staff to apply for a grant opportunity from the Federation of Canadian Municipalities' Municipal Asset Management Program for Preventive Maintenance Program Development.

Be it therefore resolved that the Municipality commits to conducting the following activities in its proposed project submitted to the Federation of Canadian Municipalities' Municipal Asset Management Program to advance our asset management program:

- ***Develop Preventative Maintenance Program for Fleet Assets***
- ***Develop Preventative Maintenance Program for Road Assets***
- ***Develop Preventative Maintenance Program for Water Assets***
- ***Develop Preventative Maintenance Program for Sewer Assets***
- ***Develop Preventative Maintenance Program for Facilities Assets.***

Be it further resolved that the Municipality commits \$18,500 from its budget toward the costs of this initiative.

7-0 Carried.

MOTION 231.17

Councillor Duda moved, be it resolved that Council directs staff to apply for a grant opportunity from the Federation of Canadian Municipalities' Municipal Asset Management Program for Serenic ERP System Cost Module.

Be it therefore resolved that the Municipality commits to conducting the following activities in its proposed project submitted to the Federation of Canadian Municipalities' Municipal Asset Management Program to advance our asset management program:

- ***Configure Serenic Cost Module and***

- **Implement Serenic Cost Module.**

Be it further resolved that the Municipality commits \$5,360 from its budget toward the costs of this initiative.

7-0 Carried.

MOTION 232.17

Councillor Chapman moved, be it resolved that Council directs staff to apply for a grant opportunity from the Federation of Canadian Municipalities' Municipal Asset Management Program for Serenic ERP System Inspections Module.

Be it therefore resolved that the Municipality commits to conducting the following activities in its proposed project submitted to the Federation of Canadian Municipalities' Municipal Asset Management Program to advance our asset management program:

- **Configure Serenic Inspections Module and**
- **Implement Serenic Inspections Module.**

Be it further resolved that the Municipality commits \$5,360 from its budget toward the costs of this initiative.

7-0 Carried.

MOTION 233.17

Councillor Hohm moved, be it resolved that Council directs staff to apply for a grant opportunity from the Federation of Canadian Municipalities' Municipal Asset Management Program for Asset Condition Assessment Program Development.

Be it therefore resolved that the Municipality commits to conducting the following activities in its proposed project submitted to the Federation of Canadian Municipalities' Municipal Asset Management Program to advance our asset management program:

- **Develop Condition Assessment Program for Fleet Assets**
- **Develop Condition Assessment Program for Road Assets**
- **Develop Condition Assessment Program for Water Assets**
- **Develop Condition Assessment Program for Sewer Assets**
- **Develop Condition Assessment Program for Facilities Assets.**

Be it further resolved that the Municipality commits \$18,500 from its budget toward the costs of this initiative.

7-0 Carried.

- Councillor Chapman said some of the grants would be competitive but he hopes Coaldale, because it is just starting its asset management program, would be considered for funding over those who already have established programs such as the City of Lethbridge or the City of Calgary.
- K. Tuttle said that is what she is hoping will happen. With the requirement for self-evaluation she anticipates they are looking for those who are starting their programs.

ITEM 125 10.0 Correspondence

***MOTION 234.17 Councillor Duda moved that Council receive the Correspondence items 10.1 and 10.2 for information.
7-0 Carried.***

ITEM 126 12.0 In Camera

***MOTION 235.17 Councillor Van Rijn moved that Council go in camera at 6:10 p.m.
7-0 Carried***

***MOTION 236.17 Councillor Duda moved that Council come out of camera at 7:33 p.m.
7-0 Carried***

ITEM 127 12.1 Policy Matter (FOIP Sections 23 and 24)

***MOTION 237.17 Councillor Martens moved that Council accept the Policy Matter update for information.
7-0 Carried***

ITEM 128 12.2 CAO Report (FOIP Sections 16, 17, 23 and 24)

***MOTION 238.17 Councillor Chapman moved to adjourn the meeting at 7:34 p.m.
7-0 Carried***

Kim Craig, MAYOR

Kalen Hastings, CAO