

**Town of Drumheller  
COUNCIL MEETING  
MINUTES**

**March 5, 2018 at 4:30 PM**  
**Council Chamber, Town Hall**  
224 Centre Street, Drumheller, AB, T0J 0Y4



**PRESENT:**

**MAYOR:**

Heather Colberg

**COUNCIL:**

Kristyne DeMott

Jay Garbutt

Tony Lacher

Fred Makowecki

Lisa Hansen-Zacharuk

Tom Zariski

**CHIEF ADMINISTRATIVE OFFICER/ENGINEER:**

Darryl Drohmerski

**DIRECTOR OF INFRASTRUCTURE SERVICES:**

Armia Mikhael

**DIRECTOR OF CORPORATE SERVICES**

Barb Miller

**DIRECTOR OF PROTECTIVE SERVICES:**

Greg Peters

**DIRECTOR OF COMMUNITY SERVICES:**

Paul Salvatore

**RECORDING SECRETARY:**

Linda Handy

**1.0 CALL TO ORDER**

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

Mayor Colberg congratulated the Royal Canadian Legion for their successful first annual "Bail Me Out" fundraising campaign raising \$11,000.00. She explained that she along with Councillors DeMott and Zariski were successful in getting out of jail thanks to all those that contributed to the fundraiser.

Mayor Colberg proclaimed March 8<sup>th</sup> as International Women's Day.

**2.0 MAYOR'S OPENING REMARK**

### 3.0 PUBLIC HEARING

3.1 Mayor Heather Colberg called the public hearing to order at 4:32 PM.

Mayor Colberg stated that the purpose of the Public Hearing is to consider Bylaw 03.18 being a bylaw to amend the Land Use Bylaw No. 10-08 pertaining to appeal timelines and development permit letters of completeness as required under the new Municipal Government Act.

Mayor Colberg asked for Palliser Regional Municipal Services (PRMS)'s planning report. In Cynthia Cvik's absence, Linda Handy – Secretary of the Public Hearing read the report into the record as follows:

*"I (Cynthia Cvik – CEO / Director of Planning) have completed a review of all Land Use Bylaws and have identified the changes required for each and every Land Use Bylaw in the Palliser Region, to bring them into conformity with the Municipal Government Act.*

*For Drumheller's Land Use Bylaw 10.08 amendments are required for:*

*Part III, Section 8, Application for a Development Permit, add the following immediately after (2):*

*(3) The Development Authority shall issue a notice of 'complete' or 'incomplete' application, within 20 days of the submission in accordance with the requirements of the Act. This letter must go out within 20 days of the submission, in accordance with Section 683 of the Municipal Government Act. It should be noted that the 40 day time limit for issuing a development permit will not start until the application is deemed complete. Development Officers should also be aware that even though a submission may have been deemed 'complete' if, during the course of the review, additional information is required to render a decision, you have the right to request that the applicant provide the new information within a specific timeframe.*

*Part IV, Section 11(3) Replace '14' with '21' days. This is the new deadline for submission of an appeal application in accordance with Section 686(1)(a) of the Municipal Government Act."*

Mayor Colberg asked the Secretary of the Public Hearing if any written submissions were received by the Town. Secretary L. Handy stated that there was no correspondence.

Mayor Colberg asked for those who wished to speak in favour of the proposal. Although the applicant was in attendance, there were no speakers.

Mayor Colberg asked for those who wished to speak in opposition. There were no speakers.

Mayor Colberg asked if there were any questions from Council. There were no questions from Council.

Mayor Colberg closed the hearing at 4:57 PM.

Mayor Colberg advised that 2nd and 3rd reading of the bylaw will be addressed at Council's Regular Meeting of March 19<sup>th</sup>.

#### **4.0 ADOPTION OF AGENDA**

Additions to Agenda: 8.1.1 Snow Removal and Storm Water Run Off from Melt and 14.1 Legal Matter (*FOIPP Act S. 21 Intergovernmental Relations / FOIPP Act S.23 Local Public Body Confidences*)

**MO2018.38** Garbutt, Hansen-Zacharuk moved to adopt the agenda as amended. Carried unanimously.

#### **5.0 MINUTES**

##### **5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES**

5.1.1 Regular Council Meeting Minutes of February 20, 2018

**MO2018.39** Zariski, Lacher moved to adopt the Regular Council Meeting Minutes of February 20, 2018 as presented. Carried unanimously.

##### **5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION**

Municipal Planning Commission Meeting Minutes of January 22, 2018

##### **5.3. BUSINESS ARISING FROM THE MINUTES**

#### **6.0 DELEGATIONS**

#### **7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS**

#### **8.0 REQUEST FOR DECISION REPORTS**

##### **8.1 CAO**

8.1.1 Snow Removal and Storm Water Run-Off from Melt

In response to Council's concerns with storm water run-off from the snow melt, D. Drohomerski advised that once Public Works staff have completed the snow removal, they will shovel around storm water catch basins and steam any frozen catch basins. Councillor T. Zariski recommended that residents who are close to storm water catch basins, shovel away the snow or let the Town know if the catch basin is frozen over. He further stated that residents are inquiring if they can put snow on Town park land and he has advised them no. He further recommended that the "snow angels" or volunteers assist neighbors to move snow away from properties within low lying areas. D. Drohomerski agreed and stated that a communiqué will be placed on social media and for these suggestions to be discussed on the 2 Minutes on the Town Radio Program.

Councillor K. DeMott explained that a resident has expressed concern with the undercarriage of their vehicle being scraped on hard snow not yet removed from roadways. D. Drohomerski explained that there is a limited amount of equipment to clear the Town roads; once the priority roads are cleared the Public Works staff will deal with trouble spots. He further explained that contrary to past practices every street in Drumheller has been cleared of snow once this year. Councillor J. Garbutt reminded citizens that they have to make a phone call to the Town Public Works if their road is impassible.

#### 8.1.2 Update on Strategic Business Plan

CAO D. Drohomerski reported on the following work priorities:

- Flood mitigation report will be presented to Council on March 19th with regards to direction on berm ownership and flood buyouts for 2018;
- Discussion being held with the Passion Play re partnership for a toboggan hill (expectation next winter);
- Draft agreement between the Town and Alberta Infrastructure for the Museum sewer odor will be presented to Council shortly;
- Offsite Levy Bylaw will be presented to Council on April 3<sup>rd</sup>;
- Transportation will be sending a written response to the Town shortly on the Town's projects (as presented to them while at the AUMA); and
- Updates for the collective bargaining will commence this summer.

Director of Community Services P. Salvatore:

- Communication strategy - completed community profile through Central Alberta Economic Partnership with a media release to go out shortly;
- Employee housing business case – recommendation to come forward from Economic Task Force; as well as a number of items were deemed Council items and will go back to Council for recommendations through the Economic Task Force;
- Communication strategy will include the ways that the Town communicates with the public, media and day to day messaging within the organization;
- Draft Community Assistance Policy to be brought back to Council for approval shortly;
- Poverty reductions strategy to be researched by the FCSS Department with a request to move this date to July;
- Downtown plan proposal – Economic Development Advisory Committee presented a report to Council;
- Discussion held with staff on the Recreation Master Plan for 2019; and
- Community profile and dinosaur branding needs a discussion; the medallion project (dino walk project) will be installed within the next two months with location mapping completed and handed off to Travel Drumheller for advertising.

Director of Infrastructure Services – A. Mikhael (D. Drohomerski reported):

- The Town has recently seen some interest in the Elks building and the Town would like to put out the tender once again to determine interest with the option of having the property demolished;
- Trail plan will be a priority for second quarter;
- Ball diamond upgrades scheduled for April when ground is dry; and

- Flood mitigation phase 2 - once agreements are finalized, the Town will tender for an engineering consultant and move into construction by this fall.

Director of Corporate Services B. Miller:

- Work priorities put on hold until after year end is completed with auditors.

Director of Protective Services G. Peters:

- Dog park is moving forward with a report submitted on the proposed amendments to the bylaw;
- Parking pay and play - reviewing with the CAO and will be completed shortly;
- Tourism Corridor Bylaw - briefing with Council to be held on March 26<sup>th</sup>; and
- Drafting of a new Community Standards Bylaw continues.

## **8.2 DIRECTOR OF INFRASTRUCTURE SERVICES**

## **8.3 DIRECTOR OF CORPORATE SERVICES**

## **8.4. DIRECTOR OF COMMUNITY SERVICES**

8.4.1 Bylaw 01.18 being a bylaw to regulate mobile vendors - 2nd reading as amended P. Salvatore presented Bylaw 01.18 with amendments as previously discussed by Council at their meetings of February 5<sup>th</sup> and 20<sup>th</sup> as well as comments from a meeting held with one vendor and one other individual who is considering a vendor application. He explained that the amendments are shown in red and include the following:

- Adding definitions to include peace officer and youth vendor.
- Council questioned what is considered "sufficient" for insurance coverage. P. Salvatore stated that \$5M is the new standard based on feedback from the Town's insurer. In response to Councillor L. Hansen-Zacharuk's recommendation to reduce this amount, Council agreed that the liability insurance has historically been \$2M and should be remain as such and if needed in future years, to increase the amount.
- Amendment to setback from commercial retail storefront operations from 25 meters to 10 meters.
- Amendment that mobile vendors may set up their business on private property with proof from property owner.
- Councillor F. Makowecki stated that once a vendor pays a fee that fee should be carried over should a vendor be asked to relocate based on the Town's direction or if the location is not suitable, a vendor can move to another approved location without paying an additional fee. P. Salvatore explained that any requests for moving to another location would be referred to the MPC / Development Officer for their decision however that vendor would not be able to request a location that another vendor has asked for. He agreed that the Town would entertain changes at no cost. He further agreed that a section on relocation and reapplication would be added to the bylaw and for the Development Officer to make the necessary change to avoid time delays. He stated that the Town would be open and permissive as possible.
- Councillor F. Makowecki asked if a number of trucks can be located in one area (based on his research that the more trucks clustered together the better their sales). P. Salvatore stated that there are areas such as the Hoodoos and Splash Park where this would be permitted.

- Councillor T. Lacher asked if the hours of operation and relocations can be relaxed for July 1<sup>st</sup>. D. Drohomerski explained that in discussions with Jolene Powell, it was agreed that on July 1<sup>st</sup> the hours would be extended and vendors would be moved on Riverside between Center Street and 1<sup>st</sup> Avenue (by Sublime). He further explained that the BCF parking lot would then be able to accommodate more vehicles.
- It was clarified that placement of a board sign for advertising of the business does not include the signage affixed to the vendor unit.
- It was clarified that the term inverter means a gas power generator.
- Amendment to change words “not permitted” to “should refrain from leaving” their unit.
- Amendment that a Public market has to obtain a valid business license to operate a public market as defined in the business license bylaw and that the market organizer meets all requirements for the operation of a public market (no requirement for a permit under this bylaw)
- Amendment for appeal timeframes from 5 to 10 days
- Addition to include youth vendor to pay \$20 per calendar year;
- Addition to include utility fees at \$100 per month (estimate at this time because not sure on power usage at this point);
- Addition to include: “The Municipal Planning Commission may issue a permit up to 2 years in duration, however any material change to the original permit application including the location, type of unit, type of service or other factor deemed significant to the MPC requires a new permit application to be completed”.
- Schedule C – a copy of direct seller’s license to be removed and insurance to be changed to \$2M naming Town of Drumheller as additional insured.
- Schedule C – include more defined guidelines on what is to be completed by the applicant and the Town office.
- In response to a question on the change of hours of operations, P. Salvatore explained that the applicant would state the hours on their application and the MPC would review the hours for compliance within the Community Standards Bylaw. Councillor L. Hansen-Zacharuk clarified that should the applicant wish for a change to their hours of operations, they should be able to do so in consultation with the Development Officer and should not pay an additional fee for a change. P. Salvatore agreed. Councillor F. Makowecki stated that the hours for vending should complement night spots.
- In response to a question on the placement of chairs by the vending unit, P. Salvatore stated that this would have to be reviewed based on the location so it does not create a hazard. He further explained that the applicant’s request would be evaluated by the MPC / Development Officer.

**MO2018.40** Lacher, Hansen-Zacharuk moved second reading of Bylaw 01.18 as amended.

Councillor J. Garbutt stated that the bylaw does not reference high traffic areas in the document and the number of permits in these locations. P. Salvatore explained that once the mobile vending program is launched, applicant approvals are based on first come, first serve basis. He further explained that the bylaw does not address a draw; if Council wishes, a draw can be held on certain locations however a deadline would have to be set for the draw. He stated that by excluding the draw, the current bylaw would

allow for applications to be received continually. He further stated that in discussions with vendors, they prefer the potential for different areas to operate, for example in Riverside Park or Newcastle Beach. He explained that the bylaw is written to be more mobile than static which lends itself for an operator to move.

In response to a question from Council on selling of wares other than food, P. Salvatore referred to the definition of vendors which states: "mobile vendor means any person selling goods, food, amusements or services". Councillor L. Hansen-Zacharuk asked for clarification on the distance requirements between vendors. P. Salvatore stated that although clustering is good, one does not want to create a "strip mall of vendors" and this type of situation would have to be looked at during the permitting phase. Councillor T. Zariski stated that a picture of the unit is required and would expect that the MPC will have to apply some level of reasonableness on the applications and locations.

Vote on motion:  
Carried unanimously.

#### 8.4.2 Quarterly Report from October 1, 2017 to December 31, 2017 2017 Annual Report

P. Salvatore asked if there were any questions on his quarterly report.

Councillor K. DeMott requested stats on the following:  
Fee Assistance Program  
Corporate Membership

Councillor J. Garbutt congratulated the BCF staff for their continued good work on offering a variety of programming and he encouraged the public to participate in these programs.

In response to a question on whether follow-up is carried out when the BCF is not successful in acquiring conferences, P. Salvatore explained that the staff are always prospecting and they do follow up when the BCF is not selected. He explained that in most cases the factors for being unsuccessful are outside of staff hands. He further explained that staff are also in contact with Canalta to see where co-host conferences might work. Councillor K. DeMott recommended that the BCF try to acquire other hosting opportunities such as a Home and Garden Show or Beer Fest. P. Salvatore stated that the BCF staff welcome any ideas for tracking down hosting opportunities.

### **8.5 DIRECTOR OF PROTECTIVE SERVICES**

#### 8.5.1 2018 Spring Cleanup Dates

G. Peters reported that the 2018 spring cleanup dates will be held from April 30<sup>th</sup> to May 10<sup>th</sup> commencing in East Coulee and working westward. Mayor H. Colberg referred to the attached 2017 report to Council prepared by the Landfill Manger and noted that the Spring Cleanup entails 11 men and 835 hours to do the cleanup and questioned

whether the Town should consider a revised future program where the landfill accepts all residential waste free for a specific period of time. She further explained that some residents have complained that their neighbors stockpile their waste for a year before the Spring Cleanup. D. Drohomerski stated that another program would be where residents offer up their items free for a period of time “give away weekends at the roadside”. He agreed that if people handled their own waste that they would be more prudent in taking their own waste to the landfill. Councillor J. Garbutt reminded Council that the landfill is not operated by the Town and any tipping fee waiving would have to be granted by the Association.

**9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION**

**10.0 PUBLIC HEARING DECISIONS**

**11.0 UNFINISHED BUSINESS**

**12.0 NOTICE OF MOTION**

**13.0 MAYOR AND COUNCILLORS REPORTS**

**14.0 IN-CAMERA MATTERS**

**MO2018.41** Hansen-Zacharuk, Zariski moved to go in camera at 6:10 PM Legal Matter (*FOIPP Act S. 21 Intergovernmental Relations / FOIPP Act S.23 Local Public Body Confidences*). Carried unanimously.

**MO2018.42** Hansen-Zacharuk, DeMott moved to revert to regular Council meeting at 6:45 PM. Carried unanimously.

14.1 Legal Matter (no motion)

There being no further business, the Mayor declared the meeting adjourned 6:45 PM.

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Chief Administrative Officer

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Mayor