

**MINUTES OF THE REGULAR MEETING OF THE REDCLIFF TOWN COUNCIL
MONDAY, JUNE 27, 2011 – 7:00 P.M.**

PRESENT:

Mayor	R. Hazelaar
Councillors	C. Brown, C. Crozier, D. Kilpatrick (left at 7:38 p.m. returned at 7:40 p.m.), E. Reimer E. Solberg, J. Steinke
Municipal Manager	D. Wolanski
Municipal Secretary	S. Simon (left at 9:05, returned at 9:18 p.m.)
Municipal Treasurer	R. Osmond
Confidential Secretary	C. Cranston
Public Services Director	D. Schaffer (left at 8:44 p.m.)
Cypress Courier	J. Regier (left at 8:58 p.m.)
CHAT News	I. Sidhu (left at 8:58 p.m.)
CJCY News	M. McKinnon (left at 8:58 p.m.)
Medicine Hat News	Alex McCuaig (left at 8:39 p.m., returned at 8:43; left at 8:58 p.m.)
Scheffer Andrew	Rebecca Row (left at 8:11 p.m.)
Janet Fritzler	(left at 8:58 p.m.)
Joanne Leipert	(left at 8:58 p.m.)
Larry Leipert	(left at 8:58 p.m.)
Gladys Nemeth	(left at 8:39 p.m.)
Val Jans	(left at 8:39 p.m.)
Susan Nemeth	(left at 8:39 p.m.)
Steve Jans	(left at 8:39 p.m.)
Andrew Purcyk	(left at 8:11 p.m.)
Danica Prpick	(left at 8:39 p.m.)
Bruce Vine	(left at 8:11 p.m.)

1. GENERAL

- Call to Order **A) Mayor Hazelaar called the regular meeting to order at 7:00 p.m.**
- Adoption of Agenda **B) Councillor Solberg moved the Agenda be adopted as amended. – Carried.**
- Accounts Payable **C) Councillor Brown moved the following 102 general vouchers in the amount of \$583,047.20 be received for information. – Carried.**

ACCOUNTS PAYABLE MAY 20 - JUNE 3, 2011			
COUNCIL MEETING JUNE 13, 2011			
68651	ACTION PARTS	OIL & AIR FILTERS FOR UNITS #139 & #106	\$136.89
68652	ADT SECURITY SERVICES	JUN - NOV ALARM SYSTEM FOR LANDFILL	\$217.29
68653	AMEC EARTH & ENVIRONMENTAL	ASBESTOS TESTING FOR BROADWAY SANITARY LIFT STATION	\$988.94
68654	CANADIAN PAYROLL ASSOCIATION	2011/12 MEMBERSHIP DUES	\$173.25
68655	CENTRAL SHARPENING	SHARPEN ICE KNIFE ON UNIT #101 ZAMBONI	\$42.00

68656	CITY OF MEDICINE HAT	VARIOUS UTILITY PAYMENTS	\$82,436.82
68657	ECONOMIC DEVELOPMENT ALLIANCE	2ND PAYMENT OF 2011 FUNDING CONTRIBUTION	\$12,740.00
68658	FARMLAND SUPPLY CENTER	HIGH PRESSURE SUPPLY LINE FOR PRESSURE WASHER	\$67.52
68659	FOUNTAIN TIRE	REPAIR TIRES FOR UNIT #135 SWEEPER	\$114.49
68660	FOX ENERGY SYSTEMS	REFLECTORS, COVERALLS, SCBA MASK FIT TESTING	\$1,060.61
68661	GEMINI POSITIONING SYSTEMS	2011 MIMS DATA UPDATES	\$525.00
68662	KEYWAY SECURITY LOCKSMITHS	KEYS CUT FOR SUMMER STAFF	\$16.38
68663	SHAW CABLE	JUNE INTERNET SERVICE FOR FIREHALL	\$59.80
68664	PARK ENTERPRISES	MARCH IN TOWN PERMITS	\$1,133.01
68665	PC CORP	WORKSTATION/SERVER IMPLEMENTATION PROJECT	\$1,050.00
68666	SUNCOR ENERGY PRODUCTS	DYED DIESEL FOR LANDFILL	\$3,738.64
68667	PINNACLE INTERNATIONAL	AIR & FUEL FILTERS FOR VARIOUS UNITS	\$542.30
68668	PRITCHARD & COMPANY	2010 YEAR END JOINT POLICY STATEMENT	\$112.77
68669	PUROLATOR	FREIGHT OF SEWER CAMERA	\$26.21
68670	CANADIAN RED CROSS	SUPPLIES FOR POOL FOR SWIM LESSONS	\$412.07
68671	ROSENAU TRANSPORT	FREIGHT OF TREATMENT SUPPLIES, PARTS & GARBAGE BIN LIDS	\$934.33
68672	SALBRO CONSULTING SERVICES	CONSULTING FEES FOR 2010 LANDFILL ANNUAL REPORT	\$10,823.23
68673	TELUS COMMUNICATION	MAY CELL PHONE, PHONE, PAGER AND RADIO CHARGES	\$108.52
68674	RONCO OILFIELD HAULING	SUPPLY TRUCK TO PULL OUT BOMAG COMPACTOR	\$409.50
68675	VIS ELECTRIC	REFUND OVERCHARGE FOR DEVELOPMENT PERMIT	\$2,050.00
68676	TOWN OF REDCLIFF	PETTY CASH AND FLOAT FOR AQUATIC CENTER	\$300.00
68677	TOWN OF REDCLIFF - LANDFILL	APRIL TONNAGE & SPRING CLEAN UP CHARGES	\$4,773.72
68678	WCB	MAY - JUNE WCB PREMIUMS	\$7,725.63
68679	TOWN OF REDCLIFF	REGULAR PAYROLL ENDING MAY 21, 2011	\$61,200.21
68680	A & B STEEL	TOW ROPE, CHAINS AND HOOK	\$671.48
68681	ACKLANDS - GRAINGER	MARKER PAINT	\$40.74
68682	BEHREND'S BRONZE	MEMORIAL BENCH PLAQUE - BURNS	\$216.44
68683	CARSWELL	2011/12 PAYROLL MANUAL SUBSCRIPTION	\$583.16
68684	C.E.M. HEAVY EQUIPMENT	TEMPERATURE SENDING UNIT, LOCK NUT , ETC FOR UNIT #134	\$532.77
68685	CIBC	SUPPLEMENTARY PENSION PLAN TO MAY 21, 2011	\$1,979.10
68686	CITY OF MEDICINE HAT	VARIOUS UTILITY PAYMENTS	\$15,299.73
68687	CLEANRITE SERVICES	MAY JANITORIAL SERVICES	\$3,290.70
68688	CLEARTECH INDUSTRIES	CHLORINE	\$1,205.23
68689	C.U.P.E.	UNION DUES TO MAY 21, 2011	\$1,973.40
68690	FARMLAND SUPPLY CENTER	SPRINKLERS, SOLENOID VALVE, TIMER	\$580.44
68691	FEDERAL EXPRESS CANADA	FREIGHT OF BACK-UP CAMERA	\$32.44
68692	FOUNTAIN TIRE	USED TIRE FOR UNIT #135 SWEEPER	\$243.71
68693	HYDRODIG	HYDROVAC TO REPAIR CURB STOP	\$441.00
68694	JOHN'S WATER HAULING	HAUL WATER TO LANDFILL	\$180.00
68695	KOST FIRE EQUIPMENT	HYDRO TEST & RECHARGE SCBA CYLINDERS	\$218.19
68696	LETHBRIDGE MOBILE SHREDDING	MAY SHREDDING SERVICE	\$66.15
68697	MEDICINE HAT CO-OP	TURF HERBICIDE, ROUND-UP	\$246.00
68698	PAINT IN GENERAL	CURE, RESIN, EPOXY PAINT, THINNER, ROLLERS, ETC FOR POOL	\$3,470.20
68699	PAYSTATION INC.	2011/12 PAYSTATION LICENSE RENEWAL	\$415.80
68700	SUNCOR ENERGY PRODUCTS	DYED DIESEL FOR LANDFILL	\$1,420.99
68701	PITNEY BOWES	REFILL POSTAGE	\$2,100.00
68702	PITNEY BOWES	SERVICE CALL TO REPAIR FOLDER/STUFFER	\$214.55
68703	PRITCHARD & COMPANY	LEGAL FEES: BUILDING INSPECTIONS & DISCHARGE CAVEAT	\$1,244.03
68704	PROVINCIAL TREASURER - LAP	LAPP CONTRIBUTIONS TO MAY 21, 2011	\$14,259.47
68705	PUROLATOR	COURIER DOCUMENTS TO ACFA	\$21.27
68706	RAPSCALLION DESIGN	DESIGN CENTENNIAL LOGO	\$551.25
68707	RECEIVER GENERAL	STATUTORY DEDUCTIONS TO MAY 21, 2011	\$26,727.69
68708	SANATEC ENVIRONMENTAL	PUMP SEPTIC TANK AT LANDFILL	\$126.00
68709	SOUTH COUNTRY GLASS	REPLACE WINDSHIELD ON UNIT #90 1/2 TON TRUCK	\$271.95
68710	STAPLES MEDICINE HAT	CLIPBOARD, BINDERS, LAMINATOR, PENCIL SHARPENER	\$174.32
68711	TELUS MOBILITY	MAY CELL PHONE, PHONE, PAGER AND RADIO CHARGES	\$100.64

68712	PRPICK, DANICA	REIMBURSE FOR SUPPORT GROUP EASTER EGG HUNT SUPPLIES	\$74.18
68713	911 SUPPLY	BYLAW UNIFORM SHIRTS	\$424.14
68714	HYGGEN, DIANA	REFUND FOR SEWER CLEANING	\$500.80
68715	TOWN OF REDCLIFF	GIFT BASKET WRAP, BASKET & SILENT AUCTION PRIZE (GPS)	\$80.53
68716	TOWN OF REDCLIFF	EMPLOYEE PROPERTY TAXES TO MAY 21, 2011	\$780.00
68717	TROPHY & ENGRAVING WORLD	VOLUNTEER RECOGNITION PLAQUES	\$626.54
68718	AB HOTEL & LODGING ASSOC.	2012 AB CAMPGROUND GUIDE ADVERTISING	\$262.50
68719	AFFINITY WELDING	REPAIR BACKBOARD, MOWER DECK, LOWER GUARD, ETC	\$649.70
68720	AMSC INSURANCE SERVICES	JUNE EMPLOYEE BENEFITS	\$12,621.50
68721	BIG EAGLE SERVICES	VAC TRUCK SERVICES TO REMOVE LEACHATE	\$3,780.00
68722	BLUE IMP	PLASTIC BOARDERS AND PINS FOR PLAYGROUND EQUIPMENT	\$598.50
68723	THE BOLT GUYS	BOLTS, WASHERS, NUTS	\$17.10
68724	BOSS LUBRICANTS	HYDRAULIC OIL AND BLUE RAM GREASE	\$1,158.05
68725	CIBC VISA	COURSE REGISTRATION, BEDDING PLANTS, SUPPLIES, WATCHES	\$3,819.93
68726	CITY OF MEDICINE HAT	VARIOUS UTILITY PAYMENTS	\$53,233.96
68727	DELL, KRISTIN	TRAVEL ADVANCE - CPA CONFERENCE	\$500.00
68728	EPCOR ENERGY SERVICES	MAY ELECTRIC UTILITY FOR LANDFILL	\$117.05
68729	FLASHING CANINES	REFUND KEY DEPOSITS	\$225.00
68730	FOUNTAIN TIRE	REPAIR TIRE ON UNIT #128 GARBAGE TRUCK	\$47.47
68731	FOX ENERGY SYSTEMS	EAR MUFFS, PLUGS, SIGNS	\$260.99
68732	HINTZ, PAMELA	ALTERATIONS TO BYLAW PANTS	\$114.00
68733	LOCAL GOVERNMENT ADMIN ASSOC.	2011 MEMBERSHIP DUES - SIMON	\$125.00
68734	LOGOS INC.	BYLAW UNIFORM PATCHES	\$315.00
68735	MACDESIGN SCREENWORKS	COMMUNITY SERVICES T-SHIRT	\$42.00
68736	MEDICINE HAT CO-OP	RAKE, BROOM, SHOVELS, CROW BAR	\$266.56
68737	SHAW CABLE	JUNE INTERNET SERVICE FOR TOWN HALL	\$104.84
68738	OSMOND, ROBERT	REIMBURSE TRAVEL EXPENSE - GFOA TASK FORCE MEETING	\$432.72
68739	SUNCOR ENERGY PRODUCTS	BULK FUEL, DIESEL AND DYED DIESEL	\$12,104.73
68740	THE PRINTER	COMMISSIONER OF OATHS STAMP - SIMON	\$29.40
68741	PRITCHARD & COMPANY	LEGAL FEES: LABOUR ISSUE	\$3,208.89
68742	REDCLIFF BAKERY	MAY MPC LUNCHEON	\$55.43
68743	ROGERS	JUNE CELL PHONE, PHONE, PAGER AND RADIO CHARGES	\$37.70
68744	SPLASHABLES INC	DIVING GATORS, STICKS AND PULL BUOYS	\$220.19
68745	STARKS PLUMBING & HEATING	EASTSIDE PH. #1 STORM LIFT STATION PROGRESS PAYMENT	\$203,994.68
68746	TELUS COMMUNICATION	JUNE CELL PHONE, PHONE, PAGER AND RADIO CHARGES	\$1,999.33
68747	DAWSON, SAMARA	REIMBURSE FOR POOL SUPPLIES	\$62.58
68748	485323 ALBERTA LTD.	REFUND UROW: 9511309, 36, 10 & 11	\$1,008.00
68749	TOWN OF REDCLIFF	REFRESHMENTS, WORKING LUNCH, STORAGE BIN, ETC	\$568.43
68750	TRICO LIGHTING PRODUCTS	LIGHT BULBS AND FLUORESCENT BULBS	\$87.89
68751	WOLSELEY MECHANICAL GROUP	TAPE, CLOTHS, PRIMER, GLUE, PVC AND A PLUG	\$68.92
68752	WOOD, DALE	FIREARM SAFETY AND HUNTER EDUCATION COURSES	\$5,605.00
	TOTAL CHEQUES: 102	AMOUNT OF CHEQUES:	\$583,047.20

Bank Summary for May 31, 2011

D) Councillor Crozier moved the Bank Summary for May 31, 2011 be received for information. – Carried.

Public Hearing
Bylaw No. 1698/2011 being the Land Use Bylaw

E) Mayor Hazelaar called the Public Hearing for Bylaw No. 1698/2011 being the Land Use Bylaw to order at 7:03 p.m.

Rebecca Row of Scheffer Andrew provided a review of some of the major changes or updates to the LUB which include:

1. Updated Definitions

The definition section includes new and expanded definitions to address existing and additional residential, public service, commercial, horticultural and industrial land uses.

2. Addition of Development Officer Discretion

A category of Discretionary Use – Development Officer has been added in each Land Use District (LUD). Each LUD now provides a list of Permitted Uses, Discretionary Uses – Development Officer and Discretionary Uses – Commission.

3. Compliance Certificates and Permission to Stay

The Permission to Stay section has been revised and a Compliance Certificate process has been added to the LUB.

4. Development Completion Certificate

The expanded Development Completion Certificate section allows the Town to have better control over larger developments to ensure that conditions of approval have been met and any requirements in a Development Agreement are carried out.

5. Accessory Buildings

The maximum size of accessory structures increased from 67.6 m² (728 sq.) to 92.9 m² (1000 square feet), or 15% of the lot coverage; whichever is less.

6. Amenity Areas and Landscaping

Amenity areas are small areas to be used for common or shared amenity space. Landscaping requirements have also been expanded in the LUB.

7. Secondary and Garden Suites

Secondary suites, a small suite in a single detached dwelling; and garden suites, a small accessory building in the rear yard are proposed in the LUB.

8. Renewable Energy Systems

Provisions for wind energy systems, solar panels and geothermal systems are proposed in the LUB.

9. Signs

The sign regulations have been expanded and requirements for each type of sign have been provided including digital LED signs.

10. Land Use Districts

Changes to various Land Use Districts have been made in the proposed Land Use Bylaw including the expansion, deletion and addition of districts to better regulate land use within the Town.

Conclusion

The revised LUB provides the Town with a good foundation and easy to use document for developers, citizens and the Development Authority to reference and utilize. The provisions include alignment with Town policy and a review of best practices from similar municipalities across the Province and Country. Minor amendments to the LUB prior to Final Readings are anticipated based on review and comments received since first reading. These amendments include fixing grammar, spelling and minor errors.

The Municipal Manager advised that the Town was in receipt of a written submission regarding Bylaw 1698/2011 which is in the Council package and Mr. Leipert was in attendance to discuss his comments.

L. Leipert commented the Land Use Bylaw is very good and we need something like this. He expressed concern with regard to setbacks and commented that older buildings will have difficulty because they will become noncompliant. He suggested that a clause be included to have the noncompliant properties reviewed by the Municipal Planning Commission.

L. Leipert advised that there was a typing error in accessory buildings; it reads subject to section 43 but it should read section 40.

He further noted that it appeared that mini-storage was left out of the RT - Residential Transition District of the Land Use Bylaw as well.

R. Row, Scheffer Andrew commented that

- Omission of mini storage in RT - Residential Transition District was an oversight. It was always the intention that mini storage be included in that section of the Land Use Bylaw. This will be an amendment and will be included in the final reading of the Bylaw.
- In regard to the older buildings in town that are not compliant with the bylaw that is a common concern. In the bylaw there is mention in the Permission To Stay section and there are various mechanisms in the Bylaw that do allow for those developments to be



there from a municipal perspective, and do allow a land owner to do certain things to allow them to develop their property to a certain degree. An option to provide for an older area with smaller setbacks would be to create additional land use district(s) which would reflect the setbacks in old developments; however the Town did not choose to go in this direction.

Mr. Leipert reiterated that he would like to get away from the Permission to Stay.

Mr. Leipert further advised he has concerns with regard to landscaping in industrial and commercial areas. It should be encouraged but not made compulsory.

The Municipal Manager thanked Mr. Leipert for his comments and advised everyone present at the Public Hearing that Bylaw 1698/2011 is for discussion only at the June 27th Council meeting. It is not Council's intention to give any reading of the bylaw at this meeting.

Bruce Vine was in attendance to provide the following comments with regard to proposed bylaw 1698/2011 the Land Use Bylaw:

- In definitions Greenhouses would be permitted retail sales of fertilizer, chemicals and implements. He noted that there are no restrictions. He questioned if it is the Town's intent to allow greenhouses to sell fertilizer and chemicals.
- In the definitions there is no Municipal Planning Commission but there is a Redcliff Planning Board. B. Vine was advised that the MPC is defined under Commission. Mr. Vine felt that there is confusion between the Planning Commission and Planning Board and may need clarification
- Development Officer has a very big job and many places in the Land Use Bylaw the decision is at his discretion. Decisions should be based on clear direction in the LUB so that the Development Officer can understand and not make decisions based on personal interpretation.
- He advised that the clause "may require" is referenced frequently in the Land Use Bylaw, which could result in inconsistent decision. As an example, one developer may be required to provide a site drainage plan while another does not.

Council advised that to regulate every aspect of every development without any discretion would result in a very large and cumbersome set of rules. It is likely that



the developers, business owners and property owners would not want to have this much regulation. It was mentioned that the Development Officer, when making a discretionary decision, would have to support their decision. Further that the SDAB process is in place for developers to appeal development conditions, etc.

- Development Completion Certificates and Compliance Certificates, if read as a layperson say more or less the same thing
- Mr. Vine expressed concern with whether the penalties in the Land Use Bylaw are enforceable
- Drainage plans should be required for all developments with the exception of residential property. This should be consistent
- B. Vine questioned the need for multi-dwellings on a property
- Garbage enclosures may interfere with the garbage collection system in the Town of Redcliff
- Landscaping should not be included in Industrial or Commercial areas
- Development Officer Discretion. Discretionary development issues should be approved by the Municipal Planning Commission
- Concerns for Horticultural Districts:
 - buildings do not fall under the building code
 - drainage issues and resulting road damage as greenhouses do not require a drainage plan.
 - Off street parking is not required
 - Setback between buildings could create a fire risk.

Andrew Purcyk introduced himself and indicated that he likes to work on cars and it is his hobby. He expressed concerns with Section 54 in the proposed Land Use Bylaw which reduces the total number of vehicles permitted on a residential lot from four to two. He questioned if it was Council's intent to reduce the number to less than 2.

Councillor Kilpatrick advised Mr. Purcyk that he is allowed to have registered vehicles on his property; however dismantled vehicles are not allowed. If the vehicle is being used to provide parts for vehicles and it appears to be in working condition, it is likely no one will be make a complaint. Generally people are just storing vehicles in various states of disrepair; making their lots look like a junk yard. Some lots are being used as a storage lot; however if someone wants to store vehicles they would need a development permit for the storage lot which would have to be approved.

Mr. Purcyk commented that he also has concerns with



houses which were built many years ago and are noncompliant due to setbacks.

Danica Prpick advised Council that she had some questions about the Transitional zoning. She commented that once a property is developed that the zoning should be changed to match the type of development that has been approved giving her condo development as an example going from DC to R-3.

R. Row, Scheffer Andrew requested that the civic address be provided to confirm the current zoning of the property in question.

D. Prpick questioned what the requirements are for entering into a development agreement. She did not feel entering into a service agreement with the Town when the services exist makes sense.

Mayor Hazelaar advised that the Town at large has paid for the water lines, sewer lines, and storm sewer and developers have to pay to tie into the lines.

Councillor Kilpatrick commented that this should not be discussed as this is a Public Hearing regarding the proposed Land Use Bylaw.

Val Jans spoke on behalf of Gladys Nemeth (her mother) and Susan Nemeth (her sister). She expressed concerns regarding a service agreement that they signed and that they were forced to pay a percentage of the local improvement.

Mayor Hazelaar asked what the relevance is to the Public Hearing for the Land Use Bylaw.

V. Jans stated it that it had to do with a service agreement and also a local improvement bylaw and their property.

R. Row, Scheffer Andrew, advised that service agreements and subdivisions are not regulated under the Land Use Bylaw. She advised that they are probably handled under the Town subdivision policies.

R. Row noted that to address some of the concerns that were heard during the Public Hearing she wished to advise that there have been some changes to the bylaw that help address some of the small areas of concern, for example, if the setback was 1.48 meters instead of 1.5 meters, there should not be a problem under the new Land Use Bylaw as some variance within the bylaw has



been provided.

She further advised that issues in regard to the developer aspect, subdivision, and service agreements, she could not answer these questions because they are not regulated by the Land Use Bylaw.

V. Jans continued to comment on her concerns dealing with their subdivision and service agreement and was advised by the Municipal Manager that this issue was outside of the scope of discussion regarding the Public Hearing for the Land Use Bylaw.

Mayor Hazelaar advised V. Jans to contact the Municipal Manager to make an appointment to discuss issues of concern. The Municipal Manager commented that Ms. Jans could also make a request to speak to Council outside of the Public Hearing.

Mayor Hazelaar adjourned the Public Hearing for Bylaw No. 1698/2011 being the Land Use Bylaw at 8:07 p.m.

2. MINUTES

Council Meeting held June 13, 2011

A) Councillor Reimer moved the minutes of the Council Meeting held on June 13, 2011 be adopted as presented. – Carried.

Committee of the Whole Meeting held on June 13, 2011

B) Councillor Crozier moved the minutes of the Committee of the Whole Meeting held on June 13, 2011 be received for information. – Carried.

Municipal Planning Commission meeting held on June 15, 2011

C) Councillor Crozier moved the minutes of the Municipal Planning Commission meeting held on June 15, 2011 be received for information. – Carried.

Redcliff Family and Community Support Services Board meeting held June 14, 2011

D) Councillor Reimer moved the minutes of the Redcliff Family and Community Support Services Board meeting held June 14, 2011 be received for information. – Carried.

Community Needs Assessment

i) Councillor Brown moved that \$5,000.00 from the Community Development account (G.L. 2.51.09.770) to proceed with a Community Needs Assessment be approved.

In regard to the Community Needs Assessment the Municipal Treasurer advised that the Community Development account does not include an allocation in the 2011 budget notes for a Community Needs Assessment. It was the consensus of Council that the



request for an allocation for a Community Needs Assessment be further reviewed for available funding and a Staff Recommendation be submitted by the Community Services Director for Council's consideration at their next regular meeting.

Councillor Brown withdrew her motion.

Rebecca Row (left at 8:11 p.m.)
Andrew Purcyk (left at 8:11 p.m.)
Bruce Vine (left at 8:11 p.m.)

3. CORRESPONDENCE

Alberta Solicitor General and Minister of Public Security
Re: 2011-12 Municipal Policing Assistance Grant (MPAG)

A) Councillor Steinke moved correspondence dated June 9, 2011 from Alberta Solicitor General and Minister of Public Security regarding 2011-12 Municipal Policing Assistance Grant (MPAG) in the amount of \$240,768.00 be received for information. – Carried.

Alberta Municipal Affairs
Re: Request for Municipal Inspection

B) Councillor Steinke moved correspondence dated June 8, 2011 from Alberta Municipal Affairs regarding the Town of Redcliff request for a Municipal Inspection be received for information. Further that the Municipal Manager request Alberta Municipal Affairs to proceed with a full municipal inspection. - Carried

CIBC Bank
Re: Request from Fillmore Construction for a temporary closure of lane

C) Councillor Crozier moved that correspondence dated June 10, 2011 from Fillmore Construction regarding proposed work to be performed in four phases at the CIBC Bank from July 4 – 31 be received for information. Further that the request for temporary lane closures, provision of Town barricades and permission to use a portion of Town of Redcliff parking lot adjacent to the CIBC Bank be approved subject to Fillmore Construction (the applicant) entering into an agreement with the Town of Redcliff. – Carried.

4. OTHER

Development Permit Application
2011-DP-055
Lot 1, Block B, Plan 9811474
(339 5 Street NW)
Development Application in DC
(Direct Control District) to construct a
Metal Storage Building (3,200 square
feet)

A) Councillor Brown moved that Development Permit Application 2011-DP-055 Lot 1, Block B, Plan 9811474 (339 5 Street NW) to construct a Metal Storage Building (3,200 square feet) in a Direct Control (DC) district be approved as presented. – Carried.

Water Treatment Plant Upgrade –
Appoint Building Committee

B) Councillor Brown moved that Mayor R. Hazelaar, Councillor Kilpatrick, and Councillor Crozier, D. Wolanski, Municipal Manager and K. Minhas, Manager of Engineering be appointed to the Water Treatment Plant Upgrade Building Committee. – Carried.

Petition on Local Improvements

C) In regard to the Petition on Local Improvements, the Municipal Manager advised Council that on Friday, June 17, 2011 a Petition addressed to the Council of Redcliff was received.

He advised that the petition stated the following:
The undersigned persons, being electors of the Town of Redcliff, in the Province of Alberta, hereby petition the Council for:

The purpose of this petition is to prohibit the Town of Redcliff from creating Local Improvement Bylaws for pre-existing infrastructure (for example: street lights, curbs, gutters, sidewalks, street paving, road reconstruction, etc.).

The objective of this petition is to have the pre-existing infrastructure maintenance paid for through the general mill rate of the Town of Redcliff.

The Municipal Manager advised that he has reviewed the sections in the Municipal Government Act as they relate to the petition that was submitted noting that Section 225 (1) of the MGA states that the CAO is responsible for determining if the petition is sufficient and Section 226 (1) states that within 30 days after the date on which a petition is filed, the CAO must make a declaration to the council or the Minister on whether the petition is sufficient or insufficient.

He further noted that without an exhaustive review, the petition appears to have an adequate number of signatures. He had concerns regarding determining the admissibility of the petition. The MGA has guidelines for what can be petitioned and what cannot. The first issue is what is being asked of through the petition. The petition is asking that council be prohibited from creating Local Improvement Bylaws which the MGA clearly allows for, whether for pre-existing infrastructure or not. Section 391 of the MGA lists the definition of "local improvement" which means:

"A project that the council considers to be of greater benefit to an area of the municipality than to the whole municipality and that is to be paid in whole or in part by a tax imposed under this



division.”

One cannot prohibit a council from doing something that the MGA allows it to do.

Petitions are allowed through the MGA in relation to specific Local Improvement Bylaws. This is the opportunity for those in opposition to proposed local improvement plans, to voice their opinion and as we are aware; many have done so. These petitions must be signed by owners who would be liable to pay the local improvement tax. One cannot be considered a signatory on a petition that is in relation to a local improvement that they would not be required to pay.

Section 229 of the MGA deals with petitions requesting a meeting with the public which is not the case in this instance.

Section 231 of the MGA deals with petitions for a vote of the electors in relation to advertised bylaws and resolutions which is also not the case in this instance.

Section 232 of the MGA deals with electors who petition for a new bylaw or a bylaw to amend or repeal a bylaw or resolution which is also not the case in this petition. This section does provide the clarity though for determining admissibility of this particular petition.

Section 232 (2) states that “A Petition requesting a new bylaw under Part 8, 9, 10, or 17 or an amendment or repeal of a bylaw or resolution made under Part 8, 9, 10, or 17 has no effect.”

Part 8 of the MGA deals with Financial Administration (budgets, borrowing, investments, auditors reports, etc.). Part 9 of the MGA deals with Assessment of Property. Part 17 deals with Planning and Development. Part 10, and the one applicable in this case, deals with Taxation including Local Improvement Taxes. In short, petitions relating to Taxation have no effect.

The Municipal Manager confirmed that he had contacted Alberta Municipal Affairs and had a detailed conversation with them explaining his analysis. Municipal Affairs confirmed this analysis identifying even more succinctly that “one cannot petition against a tax bylaw”.

The Municipal Manager advised Council that the petition received is inadmissible and the Town of Redcliff has no further legislative or legal requirements in relation to it.



However he did advise that the petition does clearly identify a significant number of people that have concerns with local improvement bylaws for pre-existing infrastructure and this should definitely be taken into consideration by council. Administration and council have already identified this issue as something to review; however, this takes time in order to fully analyze the implications of. It was suggested that this petition be accepted as information only and included in discussions at a later date. He further suggested to council that a letter be sent to the representatives of the petitioners summarizing the analysis and advising them that the petition has been accepted as information only.

Councillor Solberg moved that the petition to prohibit the Town of Redcliff from creating Local Improvement Bylaws for pre-existing infrastructure (for example: street lights, curbs, gutters, sidewalks, street paving, road reconstruction, etc.) which was received by the Town of Redcliff on June 17, 2011 be received for information. – Carried.

- G. Nemeth (left at 8:39 p.m.)
- V. Jans (left at 8:39 p.m.)
- S. Nemeth (left at 8:39 p.m.)
- S. Jans (left at 8:39 p.m.)
- D. Prpick (left at 8:39 p.m.)
- A. McCauig (left at 8:39 p.m.)

Cypress County
Land Use Amendment Application
within IDP

D)

Application #11/A03; to reclassify Plan 9612374, Block 1, Lot 3 from Light Industrial District to Country Residential District 2

i) Councillor Crozier moved that Application #11/A03; to reclassify Plan 9612374, Block 1, Lot 3 from Light Industrial District to Country Residential District 2 be received for information. Further that Cypress County be advised of Council's comments that they did not have any objections however the Town of Redcliff would like to encourage Cypress County to remain consistent with the Inter Municipal Development Plan in regard to land use districts. – Carried.

Application # 11/A04; to reclassify Plan 0815381, Block 1, Lot 5 from Country Residential District to Direct Control District

Councillor Steinke moved that Application # 11/A04; to reclassify Plan 0815381, Block 1, Lot 5 from Country Residential District to Direct Control District be received for information. Further that Cypress County be advised that Council has no objections or concerns regarding Application # 11/A04. – Carried.

MLA Golf Tournament

E) Council reviewed the information provided in regard to Len Mitzel, MLA Golf Tournament which is being held at the Redcliff Riverview Golf Course on July 7, 2011. No Council members expressed interest in participating in the annual tournament.

A. McCuaig (returned at 8:43 p.m.)

5. RECESS

Councillor Reimer moved that a short recess be taken at 8:44 p.m.

- D. Schaffer (left at 8:44 p.m.)
- J. Fritzier (left at 8:58 p.m.)
- J. Leipert (left at 8:58 p.m.)
- L. Leipert (left at 8:58 p.m.)
- J. Regier (left at 8:58 p.m.)
- I. Sidu (left at 8:58 p.m.)
- M. McKinnon (left at 8:58 p.m.)
- A. McCuaig (left at 8:58 p.m.)

Mayor Hazelaar reconvened the meeting at 9:00 p.m.

6. IN CAMERA

In Camera

Councillor Solberg moved to meet In Camera at 9:00 p.m. – Carried.

Return to Open Session

Councillor Reimer moved to return to Open Session at 9:18 p.m. – Carried.

7. ADJOURNMENT

Adjournment

Councillor Steinke moved adjournment of the meeting at 9:18 p.m. – Carried.



Mayor



Municipal Secretary

BANK SUMMARY FOR MAY 31, 2011

DESCRIPTION	GENERAL	PAYROLL	TOTAL
BALANCE FORWARD	585,040.76 ✓	10,000.00 ✓	595,040.76
DAILY DEPOSITS	348,983.60	132,694.65 ✓	481,678.25
CIBC DIRECT DEPOSITS/ TELEBANKING	813,344.80		813,344.80
INTEREST EARNED	3,480.30		3,480.30
T-BILL REDEMPTIONS	0.00		0.00
OTHER DIRECT DEPOSITS	72,227.16		72,227.16
SUBTOTAL	1,238,035.86	132,694.65	1,370,730.51
CHEQUES	(720,113.12)	(132,694.65) ✓	(852,807.77)
ASFF QUARTERLY PAYMENTS	0.00		0.00
DEBENTURE PAYMENTS	0.00		0.00
T-BILL PURCHASES	(400,000.00)		(400,000.00)
NSF CHEQUES	(743.33)		(743.33)
OTHER DIRECT WITHDRAWALS	(516,125.58)		(516,125.58)
SUBTOTAL	(1,636,982.03)	(132,694.65)	(1,769,676.68)
TOTAL	186,094.59 ✓	10,000.00 ✓	196,094.59
BANK CLOSING BALANCE	426,039.46 ✓	10,000.00 ✓	436,039.46
ADD: O/S DEPOSITS	47,110.77 ✓		47,110.77
LESS: O/S CHEQUES	(287,055.64) ✓		(287,055.64)
TOTAL	186,094.59 ✓	10,000.00 ✓	196,094.59
INVESTMENTS			
CIBC PREMIUM T-BILL FUND		5.12.02.321	5,850,000.00 ✓
CCU SHORT TERM INVEST/LANDFILL		5.12.02.126	1,291,975.11 ✓
TOTAL INVESTMENTS			7,141,975.11

TOWN OF REDCLIFF

JUN 23 2011

FINANCE DEPT.