

**MINUTES OF THE REGULAR COUNCIL MEETING OF THE TOWN OF  
BLACK DIAMOND, IN THE PROVINCE OF ALBERTA, HELD  
APRIL 1, 2009 AT 7:30 P.M. IN THE TOWN OFFICE**

**PRESENT**

Mayor Sharlene Brown  
Councillors Bill Price, Michel Jackson, Tyler Bray, Sharon Hart, and Judy Thomson  
Town Manager Joanne Irwin, Administrative Assistant Verna Staples, Public Works Manager Andy Pfeifer, and Development Officer Rod Potrie.  
Approximately 18 people including but not limited to: Ally Rutherford (Eagle), Aaron Carr (Western Wheel), George Wallace, Gordon Tomte, Rose Hobbs, Debbie Weaver, Helen Potter, Lloyd Spicer, Edna Spicer, Stewart Ewen, Freda Ewen, Kel Kristiansen, Matthew Kristiansen, Andy Lockhart, Rod Honig, Ernie Choquette and 2 unidentified males.

**ABSENT**

Councillor Mike Ross was absent.

**ORDER**

Mayor Sharlene Brown called the meeting to order at 7:30p.m.

**PUBLIC HEARINGS**

- a) **Public Hearing - Bylaw 09-01** LUB 98-14 Amendment, to redesignate Lot 1, Block 4, Plan 5378ED from Single Family Residential (R-1) to Central Business District (CB)

Mayor Sharlene Brown declared the Public Hearing regarding Bylaw 09-01 open at 7:30 p.m. Development Officer Rod Potrie offered a PowerPoint presentation, as attached. No written responses were received. Ernie Choquette of 225 – 1 Street SE questioned how this would affect the local residents especially regarding parking. It was noted that 4 parking stalls are provided for in the back; the property is 1 block away from the town’s public parking lot; and that parking on Government Road could be restricted. As no further questions or discussion followed, Mayor Sharlene Brown declared the Public Hearing for Bylaw 09-01 closed at 7:41 p.m.

- b) **Public Hearing – Bylaw 09-02** LUB 98-14 Amendment, to redesignate Lot 2 and ½ of Lot 3, Block 4, Plan 5503EH from Single Family Residential (R-1) to Semi-detached Residential (R-2)

Mayor Sharlene Brown declared the Public Hearing regarding Bylaw 09-02 open at 7:42 p.m. Development Officer Rod Potrie offered a PowerPoint presentation, as attached. No written responses were received. Three (3) verbal presentations against the bylaw were made by: Rod Honig of 115 – 1 Avenue NW, Edna Spicer, owner of commercial

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property located at 124 Centre Avenue West, and Helen Potter of 111 – 1 Avenue NW. Concerns related were as follows, but not limited to:

- Inaccuracy of the development application (garage already demolished, but debris not removed)
- Tenant concerns; lack of property care, noise, etc.
- Increased traffic and parking issues
- Narrowness of the alley involved and increased parking needs involving commercial businesses across back lane

The applicants, Kel Kristiansen and Andy Lockhart presented their rationale for choosing that particular location for their project, and expressed regret for some of the issues raised by the neighbouring residents. As there were no further presentations, Mayor Sharlene Brown declared the Public Hearing for Bylaw 09-02 closed at 7:58 p.m.

**15-MINUTE  
QUESTION &  
ANSWER  
PERIOD**

Mayor Sharlene Brown declared the 15-minute question and answer period open at 7:58 p.m. Stewart Ewen, 606 – 1 Street SW, questioned if developers were to contribute to the purchase of an aerial fire truck, why is the Town borrowing funds to purchase one. When questioned, he indicated that a verbal response would be fine. Gordon Tomte, 16 Valley Ridge Place echoed the same question, and wanted to know why the Town is proceeding with this purchase without some expertise as to whether an aerial truck is required or not. Mayor Sharlene Brown advised that the upcoming discussion on this item would offer insight. Mr. Tomte also questioned the 2007 Council resolution regarding building permit restrictions for Phase 6, Part 1 of the Willow Ridge development. Development Officer Rod Potrie offered verbal confirmation that the diversion creek is complete, thereby allowing permits to be issued in Part 1 of Phase 6. Part 2 of that phase has not been approved yet, but the stormwater retention pond is scheduled to be constructed this year, so that resolution is being complied with. Mr. Tomte then questioned the placement of the Affordable Housing complex and was assured that that project is located in Part 1 of Phase 6, and therefore is eligible to proceed. Mr. Honig then asked that as there are a number of concerns regarding multi-family residences, does the Town have provisions or plans for additional policing and parking accommodations. Mayor Brown noted that our Peace Officers are responsible for handling bylaw infractions such as parking complaints, she then related the proper procedure to lodge a complaint, and that each complaint is followed up on. She noted that a

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significant population increase would be necessary in order to justify any increase in Peace Officers. She further stated that parking requirements are part of any development permit and the needs are addressed with each application. Mr. Honig stated that there was no direct contact with him for the Public Hearing, he did not receive a notification to adjacent resident. Ms. Potter stated that she received one, and Lloyd Spicer stated that he, as a commercial property owner did not receive one. As there were no further questions forthcoming, Mayor Sharlene Brown declared the 15-minute question & answer period closed at 8:10 p.m

**AGENDA**

**Res. 2009-118**

Moved by Councillor Sharon Hart that Council agree to accept the agenda, with an amendment to the agenda order for two Public Hearings, and the addition of Item 6c) Bylaw 09-08 Borrowing Bylaw, and Item 7c)(iv) Proclamation of Volunteer Week.

**UNANIMOUSLY CARRIED**

**MINUTES**

**Res. 2009-119**

Moved by Mayor Sharlene Brown that Council agree to adopt the Minutes of the Special Council Meeting held March 12, 2009, as presented.

**MOTION CARRIED**

**Res. 2009-120**

Moved by Councillor Bill Price that Council agree to adopt the Minutes of the Regular Council Meeting held March 18, 2009, as presented.

**UNANIMOUSLY CARRIED**

**BYLAWS**

- a) **Bylaw 09-01 LUB 98-14 Amendment, to redesignate Lot 1, Block 4, Plan 5378ED from Single Family Residential (R-1) to Central Business District (CB)**

Mayor Sharlene Brown questioned if the applicant is required to provide for a paved parking lot. Development Officer Rod Potrie stated that they were not yet at that stage, but that the Municipal Planning Commission (MPC) would have the final decision on that application. Mayor Brown suggested that the MPC be lenient and allow time for the paving obligation to be met. Councillor Michel Jackson objected on the basis of Public Works' recommendations. Councillor Bill Price questioned existing parking on that site and the parking requirements for that business. Councillor Michel Jackson

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stated that there is public angle parking nearby on 1<sup>st</sup> Street SW. Development Officer Rod Potrie observed that a maximum of 3 offices could be allowed on the property instead of the possible 4 in the application, but that would be considered at the MPC level.

**Res. 2009-121**

Moved by Councillor Michel Jackson that Council agree to give Bylaw 09-01 second reading.

**MOTION CARRIED**

**Res. 2009-122**

Moved by Councillor Judy Thomson that Council agree to give Bylaw 09-01 third and final reading.

**MOTION CARRIED**

Mayor Sharlene Brown requested that, since the Development Officer has advised that this application will proceed to the MPC, the two Council representatives ensure that the parking concerns, etc. are raised at that level.

**b) Bylaw 09-02 LUB 98-14 Amendment, to redesignate Lot 2 and ½ of Lot 3, Block 4, Plan 5503EH from Single Family Residential (R-1) to Semi-detached Residential (R-2)**

Councillor Michel Jackson asked how the residents access the alley for parking, as one side of the alley is used by the commercial buildings. It was noted that on 1<sup>st</sup> Avenue NW, vehicles are consistently parked on both sides of the street, as there is no front yard parking. Councillor Tyler Bray related concerns with the alley access. Councillor Michel Jackson noted that parking recommendations can be made to the MPC for the decision on the application. Mayor Sharlene Brown requested that the adjacent notification process be investigated, as it appears that some residents were missed during this application. Mayor Sharlene Brown reiterated that any concerns regarding behaviours of tenants need to be forwarded to the Peace Officers so they can deal with any complaints.

**Res. 2009-123**

Moved by Councillor Michel Jackson that Council agree to give Bylaw 09-02 second reading.

**UNANIMOUSLY CARRIED**

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Councillor Sharon Hart questioned, in the case of a tenant, who receives any notifications from Peace Officers, the property owner or the tenant. Town Manager Joanne Irwin responded that both are usually notified.

**Res. 2009-124**

Moved by Mayor Sharlene Brown that Council agree to give Bylaw 09-02 third and final reading, and that the Council Representatives ensure that the MPC address the parking concerns as discussed.

**UNANIMOUSLY CARRIED**

**c) Bylaw 09-08 Borrowing Bylaw for the purchase of an aerial fire truck**

Mayor Sharlene Brown stated that this 1994 aerial fire truck will fit into our existing fire hall without requiring any renovations, has very low mileage, and is available for a very good price. Monies, through off-site levies, have been paid into this purchase by developers in the past, and they will still be required to continue to pay that off-site levy. The truck will be inspected and any alterations required to meet Canadian standards will be completed. The borrowed amount would be \$150,000.00 at approximately 2.716% over 5 years. Mayor Brown also advised tht the Fire Department usually places (annually) approximately \$50,000 into reserves and that the required debenture payment will now simply reduce the total amount going into reserves for the next few years, as we are purchasing the vehicle just a little sooner than planned.

**Res. 2009-125**

Moved by Councillor Michel Jackson that Council agree to give Bylaw 09-08 first reading.

**UNANIMOUSLY CARRIED**

**Res. 2009-126**

Moved by Councillor Sharon Hart that Council agree to give Bylaw 09-08 second reading.

**UNANIMOUSLY CARRIED**

**Res. 2009-127**

Moved by Councillor Tyler Bray that Council agree to give Bylaw 09-08 third reading at this time.

**UNANIMOUSLY CARRIED**

**Res. 2009-128**

Moved by Councillor Bill Price that Council agree to give Bylaw 09-08 third and final reading.

**UNANIMOUSLY CARRIED**

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**ACTION ITEMS**

- a) **Core Strategy: Flexibility** - no items to discuss
- b) **Core Strategy: Provide Safe and Effective Service** - no items to discuss
- c) **Core Strategy: Partnerships**
- (i) **Subdivision Development and Appeal Board application from M. Swain**

**Res. 2009-129**

Moved by Mayor Sharlene Brown that Council agree to appoint Matthew Swain to the Subdivision Development and Appeal Board as a member at large.

**UNANIMOUSLY CARRIED**

- (ii) **Joint corporate Opportunity Review 2008 prepared by Mr. G. Pitman**

The draft motion that was presented for consideration after the Committee of the Whole meeting was discussed further and amendments to the draft motion were made, to remove a clause that was considered redundant.

**Res. 2009-130**

Moved by Councillor Michel Jackson that Council agree to accept the Joint Corporate Opportunity Review 2008 (review) prepared by G. Pitman Consulting Inc. for information purposes, amended as follows:

- The suggested time frame located on page 42 of the review is to be removed
- Appendix B – Protocol for Intermunicipal Cooperation as amended, and as attached.

Council further agree to use the review as a working document for guiding principles.

**MOTION CARRIED**

**RECESS**

**Res. 2009-131**

Moved by Councillor Tyler Bray that Council agree that the meeting be recessed at 9:11pm.

**UNANIMOUSLY CARRIED**

**RECONVENE**

**Res. 2009- 132**

Moved by Mayor Sharlene Brown that Council agree that the meeting be reconvened at 9:24 pm.

**UNANIMOUSLY CARRIED**

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There was discussion regarding the necessity of using a facilitator. It was noted that if we apply for the grant to hire a facilitator, the funds would be there should we decide that we do require one; a facilitator would remove personalities and emotions from the equation and any brick walls in place in the projects already underway. It was also noted that small successes were desired before moving into the larger sharing projects, and a facilitator could be used at that time, but is not required yet.

**Res. 2009-133** Moved by Councillor Tyler Bray to apply for a grant to hire a facilitator.

**MOTION DEFEATED**

**Res. 2009-134** Moved by Mayor Sharlene Brown that Council agree to forward a copy of the Committee of the Whole Minutes of March 17, 2009 to the Mayor and Council of the Town of Turner Valley along with a copy of resolutions number 2009-130 and 2009-133.

**MOTION CARRIED**

**(iii) Resignation of R. Osberg from Sustainable Black  
Diamond Advisory Committee**

**Res. 2009-135** Moved by Councillor Michel Jackson that Council agree to accept Mr. Osberg's resignation from the Sustainable Black Diamond Advisory Committee with regret, and to send a letter thanking him for his efforts on behalf of that committee.

**UNANIMOUSLY CARRIED**

**(iv) Proclamation of Volunteer Week**

Proclamation read as attached.

**d) Core Strategy: Improve Communication** – no items to discuss

**e) Core Strategy: Positive Leadership** – no items to discuss

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**f) Miscellaneous Items**

**(i) AUMA Swing into Summer Golf Tournament**

**Res. 2009-136**

Moved by Mayor Sharlene Brown that Council agree to accept this item for information purposes only.

**UNANIMOUSLY CARRIED**

**(ii) 2009 Golf 4 Wellness Tournament**

**Res. 2009-137**

Moved by Mayor Sharlene Brown that Council agree to register one member of Council for the 2009 Golf 4 Wellness Tournament, and that the funds are to come from the Mayor's Slush Fund.

**UNANIMOUSLY CARRIED**

**(iii) Town Manager Report decisions (none required)**

Council noted their approval and thanks to those staff members who have been attending training sessions recently.

**CORRESPONDENCE  
AND INFORMATION**

**Res. 2009-138**

Moved by Councillor Bill Price that Council agree to accept the following correspondence for information purposes only:

- a) Town Manager's Report
- b) Public Works Report
- c) 3<sup>rd</sup> Annual Drillers Charity Golf

**UNANIMOUSLY CARRIED**

Council requested that Mr. Andy Pfeifer send congratulations to Jacob Bettcher of the Public Works department on the successful completion of his probation period.

**ADJOURNMENT**

**Res. 2009-139**

Moved by Councillor Michel Jackson that Council agree to adjourn the meeting at 9:44 p.m.

**UNANIMOUSLY CARRIED**

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MAYOR

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TOWN MANAGER