

**MINUTES OF THE REGULAR COUNCIL MEETING OF THE TOWN OF
BLACK DIAMOND, IN THE PROVINCE OF ALBERTA, HELD
JUNE 17, 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 and Public Works Manager Andy Pfeifer
Approximately 16 people including but not limited to: Ally Rutherford (Eagle), Stacey Mastel (Western Wheel), Dave Parsons, Thelma Jackson, Dr. Ingrid Rozema, Sheelagh Dobbyn, Lisa Van Ee, Patricia Pryce, Maria Badyk, Carl Fisher, Samantha and Andrew Lethbridge, Dennis Von Ferber, George Wallace, Gordon Tomte and 1 unidentified male. Andrew Campbell arrived at 7:40p.m.
- ABSENT** Councillor Mike Ross was absent.
- ORDER** Mayor Sharlene Brown called the meeting to order at 7:31p.m.
Councillor Bill Price entered Chambers at 7:32pm
- 15-MINUTE QUESTION & ANSWER PERIOD** Mayor Sharlene Brown declared the 15-minute question & answer period open at 7:33p.m. Mr. Carl Fisher questioned the development agreement in Willow Ridge regarding dust control. He noted that after his questions to Council at the June 3, 2009 meeting, nothing has been done. Dennis Von Ferber of 132 - 2nd Avenue NE stated that the residents of that area still feel that the community garden entrance should be off of 2nd Avenue, not the alley, and the gate should not be closing off the alley. He noted that the residents have properly voiced their opinions. Gordon Tomte, 16 Valley Ridge Place, questioned if there is any study showing that we need an aerial fire truck. He stated that he has not seen any such recommendation in any report, and questioned the purchase of the aerial fire truck without a recommendation. Mr. Tomte requested that Mayor Brown read the letter from the Town of Turner Valley to the Minister of Municipal Affairs, as the public has not been made aware of the contents of this letter at this time. Mayor Brown granted his request and read the letter. As there were no further questions forthcoming, Mayor Sharlene Brown declared the 15-minute question & answer period closed at 7:40 p.m.

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AGENDA

Res. 2009-236

Moved by Councillor Judy Thomson that Council agree to accept the agenda, with the addition of: further information provided for Item 7b)(i) Report on Street Lighting Open House; an amended report provided for Item 7c)(i) Request for resolution in support of Westend Regional Sewage Services Commission's application for funding; an amended agreement was provided for Item 7c)(ii) Foothills Cemetery Agreement; Item 7c)(v) Westend and Town as co-applicant for Development Permit for grazing lease; Item 7c)(vi) Storage for parade items; Item 7f)(v) Request from property owner for change in fencing in Service Commercial district; and Item 7f)(vi) Yearend entries.

UNANIMOUSLY CARRIED

MINUTES

Res. 2009-237

Moved by Councillor Michel Jackson that Council agree to adopt the Minutes of the Regular Council Meeting held June 3, 2009, with an amendment to resolution 2009-230 to read "...grant application by the Griffith Memorial Centre for the grant application as requested."

UNANIMOUSLY CARRIED

DELEGATION

- a) **Lisa Van Ee:** Vegetation Control on AG zoned land along 2A Avenue NW

Lisa Van Ee addressed council (letters of support attached) regarding her property at the north end of 2nd Street NW, and the adjacent Town property, regarding fire control and the possibility of putting sheep on the property to control the vegetation. Mayor Brown clarified that Ms. Van Ee was aware that the request would entail a Land Use Bylaw amendment specific to that site. Ms. Van Ee stated that she is only one of the 3 landowners involved in needing to exercise vegetation control practices on that property.

BYLAWS

Bylaw 09-14: Operating Agreement for Jointly Owned Garbage Truck

Res. 2009-238

Moved by Councillor Judy Thomson that Council agree to give Bylaw 09-14 first reading.

UNANIMOUSLY CARRIED

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Res. 2009-239 Moved by Councillor Sharon Hart that Council agree to give Bylaw 09-14 second reading.
UNANIMOUSLY CARRIED

Res. 2009-240 Moved by Councillor Michel Jackson that Council agree to give Bylaw 09-14 third reading at this time.
UNANIMOUSLY CARRIED

Res. 2009-241 Moved by Mayor Sharlene Brown that Council agree to give Bylaw 09-14 third and final reading.
UNANIMOUSLY CARRIED

ACTION ITEMS

- a) **Core Strategy: Flexibility** - no items to discuss
- b) **Core Strategy: Provide Safe and Effective Service**
- (i) **Report on Street Lighting Open House held June 10, 2009 – decisions as required**

Res. 2009-242 Moved by Councillor Michel Jackson that Council agree to approve the purchase and installation of Dark Sky friendly Flat Glass Cobra head streetlights at the quoted price from Fortis of \$49,376.38 on 1st Street SW as per the recommendation of the Public Works Manager in order to complete the 2007 project and that funds previously set aside in reserves be used to fund the completion of the project.
UNANIMOUSLY CARRIED

- c) **Core Strategy: Partnerships**
- (i) **Request for resolution in support of Westend Regional Sewage Services Commission's application for funding**

Res. 2009-243 Moved by Councillor Tyler Bray that Council agree to provide a letter of support for the Westend Regional Sewage Services Commission's application to Alberta Transportation for funding to cover the associated costs to develop the Waste Water Feasibility Study.
UNANIMOUSLY CARRIED

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(ii) Foothills Cemetery Agreement

Res. 2009-244

Moved by Mayor Sharlene Brown that Council agree to approve the Foothills Cemetery Agreement as presented and as attached.

UNANIMOUSLY CARRIED

**(iii) Economic Development Committee request for 4
Town of Black Diamond duffel bags**

Res. 2009-245

Moved by Councillor Sharon Hart that Council agree to provide 4 (four) Town of Black Diamond duffel bags as prizes for the Economic Development Committee photo contest.

UNANIMOUSLY CARRIED

(iv) Sheep River Water Management Plan

Res. 2009-246

Moved by Mayor Sharlene Brown that Council agree to appoint Mayor Sharlene Brown as the Council representative to the Sheep River Water Management Plan and Councillor Michel Jackson as the alternate.

UNANIMOUSLY CARRIED

**(v) Westend and Town as co-applicant for Development
Permit for grazing lease**

Res. 2009-247

Moved by Councillor Bill Price that Council agree that since the Town of Black Diamond is the owner of land contained within the perimeter of Westend property where cattle will be grazing, that the Town be a co-applicant on the Development Permit application for the grazing of cattle on Westend property.

UNANIMOUSLY CARRIED

(vi) Storage for parade items

Res. 2009-248

Moved by Councillor Sharon Hart that Council agree to purchase a portable garage package plus storage containers as required, with the cost not to exceed \$750.00, with funds to come from Council Goods budget in order to have space necessary to store the items used for the annual Parade.

MOTION CARRIED

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d) Core Strategy: Improve Communication

**(i) Letter from Town of Turner Valley to Minister of
Municipal Affairs**

Res. 2009-249

Moved by Councillor Tyler Bray that Council agree to accept the letter from the Town of Turner Valley to the Minister of Municipal Affairs, regarding the Pitman Report and its recommendations, for information purposes.

MOTION CARRIED

e) Core Strategy: Positive Leadership

**(i) Request for Council to form a team to compete in
Local Celebrity Clay Olympics**

It was generally agreed that Council will form a team to compete in the Local Celebrity Clay Olympics, being held on Saturday, June 27, 2009. Councillor Sharon Hart and Councillor Judy Thomson will compete on behalf of Council and Councillor Mike Ross will be the alternate.

f) Miscellaneous Items

(i) Town Manager Report Decisions – as required

Town Manager Joanne Irwin stated that the Affordable Housing agreement that Council approved by Resolution 2009-188 is being amended, for format and clarification, by Alberta Housing and Urban Affairs. The original single agreement is being split into two separate agreements, one for the land transfer and one for the grant funding. The Province has advised that the intent, as laid out in the original agreement, will not change. Council agreed that as the intent of the original document is not changing, that it will be acceptable for the amended documents to be signed upon receipt.

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(ii) Delegation Decisions

Town Manager Joanne Irwin stated that she has spoken with Parks & Recreation Manager Les Quinton and received an estimate to rough-cut the Town property located at Block 2, Plan 2143 FS. He did not feel that it would be detrimental to the Parks & Recreation budget to mow the property twice this year. Ms. Irwin noted that the applicant could then begin the land use amendment process in the fall in order to allow enough time for Council to consider the request before the beginning of grazing season next year. She further noted that there will be fencing requirements, in regards to grazing, that will need to be addressed as well.

Res. 2009-250

Moved by Councillor Tyler Bray that Council agree to proceed with cutting the vegetation on the Town's AG zoned property, located at Block 2, Plan 2143 FS, and request the Development Officer to begin the process of a site-specific land use bylaw amendment to go forward in September, 2009 if Ms. Van Ee wishes to proceed.

UNANIMOUSLY CARRIED

(iii) Committee of the Whole decisions

Council generally agreed to forward the issue of Council using computer flash drives to replace the Red Book to the September 2, 2009 Council meeting and bring forward costs, privacy protection and other considerations at that time.

(iv) Building Fees

Res. 2009-251

Moved by Councillor Michel Jackson that Council agree to accept the Building Fee Schedule as presented.

MOTION DEFEATED

Res. 2009-252

Moved by Mayor Sharlene Brown that Council agree to accept the Residential, Office, Commercial, Institutional and Multi-family Building Fee Schedules as presented, and request that Safety Codes Officer John Bennett re-submit the Industrial Service fee schedules with his report and a possible different way of calculating these fees in September 2009.

UNANIMOUSLY CARRIED

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**(v) Request from property owner for change in fencing in
Service Commercial district**

Res. 2009-253

Moved by Councillor Judy Thomson that Council agree that Council has no objection to the requested development agreement amendment, regarding the required uniform fencing of the Service Commercial lot located at Lot 8, Block 1, Plan 0610957, as presented and as attached.

UNANIMOUSLY CARRIED

(vi) Yearend Entries

Town Manager Joanne Irwin advised Council that as discussed during the Budget discussions, many 2008 planned projects were not completed in 2008. She provided Council with the estimated surplus (deficits) for the various departments and requested that Council agree to transfer the general and estimated surpluses/deficits as applicable in and out of reserves.

Res. 2009-254

Moved by Mayor Sharlene Brown that Council agree to approve the yearend entries as attached.

UNANIMOUSLY CARRIED

**CORRESPONDENCE
AND INFORMATION**

Res. 2009-255

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

- a)** Town Manager's Report
- b)** Public Works Report
- c)** Parks & Recreation report
- d)** Recycle Update
- e)** Letter of notification from Development Officer to affected Willow Ridge residents
- f)** Invitation to Grand Opening of Visitor Information Centre on June 20, 2009
- g)** Mayor's Quarterly Report from R.C.M.P.
- h)** Solar Information Day
- i)** Rum Runner Days
- j)** Invitation to Airdrie's Centennial

UNANIMOUSLY CARRIED

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RECESS

Res. 2009-256

Moved by Councillor Michel Jackson that Council agree to recess the meeting at 8:56 p.m.

UNANIMOUSLY CARRIED

RECONVENE

Res. 2009-257

Moved by Mayor Sharlene Brown that Council agree to reconvene the meeting at 9:07 p.m.

UNANIMOUSLY CARRIED

Committee Reports:

Councillor Sharon Hart: written report attached
Councillor Michel Jackson: written report attached
Councillor Judy Thomson: written report attached
Councillor Tyler Bray: written report attached
Councillor Bill Price: written report attached
Mayor Sharlene Brown: written report attached

Res. 2009-258

Moved by Mayor Sharlene Brown that Council agree to instruct Administration to prepare a Municipal Emergency Management Agency Bylaw.

UNANIMOUSLY CARRIED

Res. 2009-259

Moved by Mayor Sharlene Brown that Council agree to send a letter to the Chair of the Special Events sub-committee, Denise LaBine, thanking the entire committee for all of their hard work on the Parade.

UNANIMOUSLY CARRIED

Res. 2009-260

Moved by Councillor Judy Thomson that Council agree to send a letter to Mr. and Mrs. Al Dickie thanking them for their hard work on the Town of Black Diamond's Parade float.

UNANIMOUSLY CARRIED

ADJOURNMENT

Res. 2009-261

Moved by Councillor Bill Price that Council agree to adjourn the meeting at 9:54 p.m.

UNANIMOUSLY CARRIED

MAYOR

TOWN MANAGER