

**REGULAR MEETING OF COUNCIL OF THE TOWN OF CALMAR WAS
HELD ON MONDAY JULY 19TH, 2010 COMMENCING AT 7:00 pm
IN THE COUNCIL CHAMBERS**

1. **CALL TO ORDER:** Mayor Kirk Popik called the Regular Council Meeting of July 19th, 2010 to order at the hour of 7:00pm.

PRESENT: Mayor Kirk Popik, Councillors Bartlett, Blackmore, Edmunds, Sekora, Town Manager Kathy Murphy, Bill Dolman – MPS, Public and Press.

ABSENT WITH REGRETS: Director of Planning & Development Melesko and Student Council.

2. **REVIEW AND ACCEPTANCE OF AGENDA:**

Mayor Popik requested to omit 4. Delegation a) Corrine's Companions – Student Work Experience, Councillor Bartlett requested to add 6. Unfinished Business a) Parkland Ambulance and Mayor Popik requested to add 7. New Business h) Culvert Repair – Westview Drive.

Moved by Councillor Blackmore to adopt the agenda as amended.

CARRIED
R-10-07-09

3. **PUBLIC HEARING:**

4. **DELEGATION:**

5. **ADOPTION OF MINUTES:**

- a) Regular Council Meeting of June 21st, 2010
b) Special Council Meeting of July 6th, 2010

Moved by Councillor Edmunds to adopt the minutes of the Regular Council Meeting of June 21st and of the Special Council Meeting of July 6th, 2010 as presented.

CARRIED
R-10-7-10

6. **UNFINISHED BUSINESS:**

- a) Parkland Ambulance

Councillor Bartlett explained to Council that the final financial statements for January 1, 2009 to December 31, 2009 for the Parkland Ambulance have been reviewed by the Board and these statements show that the LCRAB contract obtained a surplus of \$250,579. The LCRAB has related their concerns regarding this surplus to the PAA Board and the PAA Board discussed this issue at their most recent Board meeting. As a gesture of goodwill between fellow municipalities the PAA Board is proposing the following refund to the LCRAB calculated as follows:

- Total excess - \$250,579
- Subtract expected additional costs – (\$4500)
- Add back fuel rebate - \$6776
- Subtract reasonable profit based on 10% of operating expenses (\$574,430) – (\$57443)

Total proposed net rebate to LCRAB: \$195,412

Calmar's portion would be 11.52% for a total of \$22,518.83.

The rebate would be paid once the above offer has been accepted in writing by the LCRAB and the Village of Thorsby has made payment to PAA in the amount of \$6969.83 and upon the LCRAB signing of an appropriate release form to be drafted by the solicitor for the Parkland Ambulance Authority.



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Moved by Councillor Blackmore to accept the proposal in principal subject to administration's review.

CARRIED
R-10-07-11

7. NEW BUSINESS:

- a) Leduc & District Food Bank Association

Moved by Councillor Blackmore that the Town of Calmar donate \$1000 to the Leduc & District Food Bank Association for 2010.

CARRIED
R-10-07-12

Councillor Blackmore requested that CAO Murphy send a letter to the Food Bank asking them to submit their request before budget preparation for the upcoming fiscal year.

- b) AUMA
Mayor Popik requested this item be placed on file

- c) Edmonton Regional Joint Ortho Photo Initiative
Mayor Popik asked Administration to send the City of Leduc a letter declining the participation of the Town of Calmar for the upcoming 2011 Edmonton Regional Joint Ortho Photo Initiative.
Mayor Popik requested this item be placed on file.

- d) Muscular Dystrophy Canada

Moved by Councillor Sekora to proclaim Muscular Dystrophy Awareness Month in September 2010.

CARRIED
R-10-07-13

- e) RFD – Advance Vote

Moved by Councillor Blackmore to authorize an advance vote in the 2010 Town of Calmar Municipal Election.

CARRIED
R-10-07-14

- f) Subdivision Approval – Avillia Developments

Moved by Councillor Blackmore to approve the tentative plan of the proposed subdivision of N.W.25-49-27-W4 subject to the following conditions by Bill Dolman of Municipal Planning Services as follows:

1. That prior to endorsement of an instrument effecting this plan, the registered owner and/or developer enter into and comply with the terms and conditions of a development agreement with the Town of Calmar pursuant to Section 655 of the Municipal Government Act, which development agreement shall be registered by way of caveat against the title of the quarter section. This development agreement will indicate, among other matters:
- a) the developer's responsibility to design and construct the intersection of the proposed subdivision road with Highway #39 to the satisfaction of both the Town and Alberta Transportation, and to provide guarantees to the satisfaction of the Town that the construction envisioned by the agreement will be carried out, and



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- b) that should the developer or any of his agents, employees, assigns, or others become aware, for any reason, of any subsurface man-made features or equipment within the Subject site, he will, within a period to be specified in the agreement, notify the Town in writing of same in the manner specified in the agreement.
- 2. That prior to endorsement of an instrument effecting this plan, Alberta Transportation indicate that they are satisfied that the registration of the proposed plan of subdivision may proceed.

CARRIED
R-10-07-15

NOTES FOR INFORMATION PURPOSES ONLY: (These are not conditions of approval)

- 1. In order to expedite consideration of the final approval and endorsement of this proposal, a letter from the Town of Calmar indicating that Condition #1 above has been satisfied should accompany any request for final approval or endorsement.
- 2. In order to expedite consideration of the final approval and endorsement of this proposal, a letter from Alberta Transportation indicating that Condition #2 above has been satisfied should accompany any request for final approval or endorsement.
- 3. Alta Gas Utilities Inc. has advised that if upon subdivision a relocation of the existing gas facilities is required, it shall be effected at the owner's and/or developer's expense and to the satisfaction of Alta Gas Utilities Inc. Payment and/or the provision of easements required for new gas facilities will also be the responsibility of the owner/developer.
- 4. To avoid unnecessary complication, no site work to effect the proposal should be commenced prior to endorsement of a registrable instrument by the Town and/or without prior consultation with the Town of Calmar as to its requirements regarding such development.
- 5. The following information is provided as required by Section 656(2) (a) of the Municipal Government Act. Any appeal of this decision lies to the Municipal Government Board, whose address is 15th Floor, 10155 - 102 Street, Edmonton, Alberta, T5J 4L4 (phone 427-4864).

- g) RFD – TA#0576

Moved by Mayor Popik to defer this item to the next Regular Meeting of Council August 16, 2010 as Administration researches if the Town has covered costs on basement cleanups in the past.

CARRIED
R-10-07-17

Mayor Popik requested that Administration contact the tax payer and make him aware of the motion made by Council.

- h) Westview Drive – Culvert Repair

Moved by Councillor Bartlett that Administration applies for the S.I.P. grant in the amount of \$127,500 and to move \$106,313.75 from the transportation reserve to complete repairs to the culvert on Westview Drive.

CARRIED
R-10-07-18

8. BYLAWS AND/OR POLICIES:



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9. FINANCIAL INFORMATION:

- a) Bank Reconciliation – January, February, March 2010
Mayor Popik asked this item be placed on file.
- b) Trial Balance July 1st, 2010
Mayor Popik asked this item be placed on file.

10. DEPARTMENT REPORTS:

- a) Director of Finance
Mayor Popik requested that this report be placed on file.

11. COUNCIL AND COMMITTEE REPORTS:

- a) **Mayor Popik**
- b) **Councillor Bartlett**
- c) **Councillor Blackmore**
- d) **Councillor Edmunds**
 - July 05, 2010 Chinese Delegation Dinner
 - July 06, 2010 Special Council Meeting
 - July 07, 2010 FCSS Leduc
 - July 08, 2010 Library Board Meeting
- e) **Councillor Sekora**
 - June 23, 2010 Aerotropolis – creating Airport cities
 - June 24, 2010 Leduc Foundation
 - June 28, 2010 Canada Welcomes Germany Celebration
 - July 05, 2010 SiPing Delegation Banquet
 - July 06, 2010 Special Council Meeting
 - July 15, 2010 Meeting with Imperial Oil
 - July 19, 2010 Regular Council Meeting
- f) **Student Council**
Absent with Regrets

Mayor Popik thanked Council for their reports and requested that items (a) through (e) be placed on file.

12. CORRESPONDENCE:

- a) Outstanding Items
- b) Government of Alberta – Agriculture & Rural Development
- c) Leduc & district Regional Waste management 2009 Financial Statements
- d) Town of Millet
- e) Leduc & District Victim Services Summary June 2010
- f) Leduc County – Mobile Command & operations Unit
Administration to check with Leduc County Manager about a Mutual Aide Agreement
- g) CUPW
- h) Alberta Health Services

Mayor Popik requested that items b) through h) be placed on file.

13. QUESTIONS AND/OR CONCERNS FROM THE PUBLIC:

Resident Trevor Smith asked Council what they thought of the information package that was given to them before their meeting with Imperial Oil. Mayor Popik informed Trevor Smith that his concerns were addressed at the Imperial Oil Meeting. He also mentioned that MLA Diana McQueen mentioned a mediation process between the residents affected and Imperial Oil. Mayor Popik also told them that a remediation plan is not in place yet and that a resolution has been sent to AUMA for consideration for the convention this fall. Trevor said

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he can't get any response from Imperial Oil and has left several messages and emails. The only way he hears from them is when Imperial Oil hears the word "media".

Ralph Olson mentioned that his wife has major health issues and feel their life is in limbo and want answers. Mr. Olson feels that a criminal act has occurred with this situation and wants to know what the Town has to say. Mayor Popik asked Mr. Olson if he'd reported it to the RCMP and suggested if he hadn't he should if he feels that way. Mayor Popik went stated again that Council cannot supersede another level of government and informed him on what the Town has done in regards to this situation. "We have sent in a resolution to AUMA about the abandoned wells, where they need to be left on title and that Alberta 1 call has to be notified, we have the lawyers engaged, we have changed development and permit standards, we tried having a meeting with the Imperial oil Board" said mayor Popik, we are doing everything we can to help the involved residents.

One resident asked if Aztec Developers is doing business in Calmar, with being the developer to the affected subdivision. Administration will check if they have a 2010 Business License. The resident wanted answers on how can bonds fail? Who is responsible for this bond failing?

Councillor Bartlett stated that he feels this situation should be looked after by the Province, not the municipality.

Discussion ensued.

The press asked if they could have the names of the attendees in the Imperial Oil Meeting. Administration will seek advice and inform the press.

The press also asked why she wasn't notified of the Special Council Meeting on July 6th.

Mayor Popik thanked everyone for their questions and concerns.

Moved by Mayor Popik to call a short recess at the hour of 8:34pm.

CARRIED
R-10-07-19

The public and press left the meeting at the hour of 8:45pm.

14. IN CAMERA:

Moved by Councillor Sekora to temporarily adjourn the Regular Meeting of Council of July 19th, 2010 and Council sit as Committee of the Whole at the hour of 8:46pm.

CARRIED
R-10-06-20

- a) Development
- b) Utilities

Moved by Councillor Edmunds to reconvene to the Regular Meeting of Council of July 19th, 2010 at the hour of 9:03pm.

CARRIED
R-10-07-21



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Moved by Councillor Bartlett to accept the recommendation of Director of Planning & Development Ed Melesko that a special agriculture rate be implemented at a rate of \$3.00 per cubic meter, feeling this is a fair charge with a minimum bill of \$10.00, meaning if there is any usage what's so ever on the account, a bill must be generated for a amount of \$10.00 minimum. If there is no activity on the account there is no charge. And that this rate is carried over to all non industrial users. Also, that Industrial and Oil Field would change to \$5.00 per cubic meter with a minimum bill of \$25.00. This would then eliminate the initial charge of \$8.33 per cubic meter for everyone.

**DEFEATED
R-10-07-22**

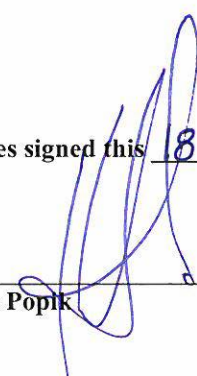
Mayor Popik requested administration to forward a letter to Doug Wright, Leduc County Manager, to see if there is anything they could do for their county residents, to help with the expense of bulk water.

15. ADJOURNMENT:


Moved by Councillor Bartlett that the Regular Council Meeting of July 19th, 2010 adjourn at the hour of 9:07pm.

**CARRIED
R-10-07-23**

These minutes signed this 8 day of August, 2010.



Mayor, Kirk Popik



Town Manager, Kathy Murphy