

TOWN OF RIMBEY

TOWN COUNCIL

MINUTES OF THE REGULAR MEETING OF TOWN COUNCIL HELD ON
MONDAY, MARCH 25, 2013, IN THE COUNCIL CHAMBERS OF THE TOWN
ADMINISTRATION BUILDING

1. Call to Order
Mayor Ibbotson called the meeting to order at 7:00 pm, with the following in attendance:

Mayor Sheldon Ibbotson
Councillor Jack Webb
Councillor Paul Payson (via skype)
Councillor Scott Ellis
Councillor Gayle Rondeel
CAO Tony Goode
Director of Finance – Lori Hillis
Assistant CAO/Development Officer - Melissa Beebe
Recording Secretary – Kathy Blakely

Absent:

Public:
Treena Mielke - Rimbey Review
16 Members of the public
2. Public Hearing
2.1 None
3. Adoption of Agenda
3.1. Mar 25, 2013 Agenda

Deletion - 6.3 Bylaw 884/13 Town of Rimbey Revolving Operation Loan
Addition – 5.1 Reuben Giebelhaus – Petition.

Motion 081/13

Moved by Councillor Webb to accept the agenda as amended.

CARRIED
(5-0)
4. Minutes
4.1 March 11, 2013, Council Regular Meeting Minutes

Motion 082/13

Moved by Councillor Ellis to accept the March 11, 2013, Council Regular Meeting Minutes as presented.

CARRIED
(5-0)
5. Delegation
5.1 Reuben Giebelhaus
Mr. Giebelhaus indicated that he realizes Council has a big decision tonight. He reiterated to Council that the individuals who signed the petition are not in favor of Council selling the Administration Building to the Rimbey Library Board for \$1.00. He indicated that leasing the space to them for \$1.00 would be no different. The people who signed the petition do not want the building renovated for the library to take over the office space used by the municipal offices. He noted that there are alternative solutions to the library spacing problem. He indicated that the Town could add on space to the north end of the building and add a second floor. Mr. Giebelhaus indicated that the individuals who signed the petition are not in favor of the town offices being moved down to the Provincial Building where we would pay rent.

Mayor Ibbotson thanked Mr. Giebelhaus for his presentation to Council.
6. Bylaws
6.1 Bylaw 880/13 Rimbey Library Loan Authorization
Administration has received notification from Jean Keetch, Manager of the Rimbey Municipal Library that the Library was not successful in obtaining the CIIP grant. She indicated that the Library Board will be applying for a CFEP grant as soon as possible.

Administration recommends that Council motion to rescind Bylaw 880/13.

Motion 083/13

Moved by Councillor Rondeel to give third reading to Bylaw 880/13 Rimbey Library Loan Authorization.

DEFEATED
(0-5)

6.2 Bylaw 883/13 Electric Distribution System Franchise Agreement

The new contract with FortisAlberta Inc. has been received. Bylaw 883/13 is to authorize the Mayor and CAO to enter into an agreement granting FortisAlberta Inc., the right to provide distribution access services within the municipality. The Town of Rimbey upon completion of first reading will be forwarded to the AUC for approval to renew an electric distribution system franchise agreement with the new agreement.

Administration recommends that Council give first reading of Bylaw 883/13 – Electric Distribution System Franchise Agreement.

Motion 084/13

Moved by Councillor Ellis that Council give first reading of Bylaw 883/13 – Electric Distribution System Franchise Agreement.

CARRIED
(5-0)

7. New and
Unfinished
Business

7.1 Encana Corporation – Water Access and Option Agreement

The Town of Rimbey has been approached by Encana Corporation to purchase 180,000 cubic metres of effluent wastewater from our reservoirs during the period of January 1, 2013 to December 31, 2013. A copy of the Water and Option Agreement was distributed to Council for their perusal.

Administration recommends Council accept the Water and Option Agreement from Encana Corporation to purchase 180,000 cubic meters of effluent waste water from our reservoirs during the period of January 1, 2013 to December 31, 2013.

Motion 085/13

Moved by Councillor Webb that Council accept the Water and Option Agreement from Encana Corporation to purchase 180,000 cubic meters of effluent waste water from our reservoirs during the period of January 1, 2013 to December 31, 2013.

CARRIED
(5-0)

7.2 Kitchner Lodge #85 Park Proposal

The Kitchner Lodge #85 has been in existence for 96 years and will be celebrating their 100th anniversary in 4 years. In honor of this upcoming anniversary, they are requesting to develop a mini park within the newly proposed trail system.

At the Council Committee Meeting held March 15, 2013, Mr. E. Giebelhaus and Mr. Tarleton presented to Council their plan for the mini park. They noted that this would be a 3-4 year project. It would be comprised of a walkway, trees, a bridge, and berms that would create mini dams in the drainage ditch. They are requesting crushed concrete from the town as well as the use of the town bobcat during construction of this park. They would like to start as soon as possible in the spring.

Administration recommends approval of the Kitchner Lodge #85 Park Proposal which will be located within the proposed trail system.

Motion 086/13

Moved by Councillor Webb that Council approve of the Kitchner Lodge #85 Park

Proposal which will be located within the proposed trail system.

CARRIED
(5-0)

7.3 Petition

At the January 14th Regular Council Meeting, Motion 008/13 was passed to sell the Town Administration Building to the Rimbey Municipal Library Board for \$1.00, with the condition that the Town of Rimbey gets first right of refusal for \$1.00, if the Rimbey Municipal Library Board decides to sell the building.

On March 13, 2013 the Town of Rimbey received a petition, the statement of purpose which reads:

Whereas, the Town Council of Rimbey, is planning to sell the town offices for the total sum of \$1.00 (one dollar) and,

Whereas the building know as the Rimbey Town Offices which are assessed at approximately \$650,000 and,

Whereas the proposed "New" Town Offices, limits access for the disabled and elderly.

Be it resolved, that the Town of Rimbey hold a referendum or delay the sale until the next municipal elections so that the voters can decide this issue.

There were 455 signatures on the petition. The MGA requires that a petition contain the signatures of Rimbey electors equaling at least 10 percent of the town's population. The population of Rimbey, as per the 2012 Municipal Affairs Population List is 2378, (May 10, 2011 Federal Census) which would require 238 electors to sign a petition. Each elector must provide his or her printed name, signature, residential address, and the date on which the elector signed the petition. The elector's signature must be properly witnessed, and the witness must swear an affidavit that states that the witness believes the people who signed the petition are entitled to do so (MGA' s. 221 to 226).

It is the CAO's duty and responsibility to declare whether a petition is sufficient, within thirty (30) days of receipt of the petition (MGA s. 226). This determination relates not only to the technical requirements of sufficiency (i.e. number of petitioners, addresses, witnesses, etc.), but also the other legal requirements, including a lack of clarity respecting the action sought, and a lack of clarity on the subject matter of the petition. If a petition is not sufficient, Council is not required to take any notice of it (MGA s. 226).

Administration reviewed the petition and found 394 of the 455 signatures were valid.

The petition, in its entirety, was forwarded to Brownlee LLP, Barristers and Solicitors. The petition has been deemed to be **insufficient** based on the lack of substantive sufficiency, due to the lack of clarity and certainty as to the nature of action sought, and also a lack of clarity and certainty as to the subject matter of the petition.

Administration recommends the following:

1. That the petition as presented is insufficient due to a lack of clarity in the question.
2. That Council discuss and decide on what steps should be taken to resolve the Library expansion issue.

Motion 087/13

Moved by Councillor Rondeel to table the decision on the petition to the April 8, 2013 Council Meeting.

CARRIED
4-1

7.4 SLC Canada – Expression of Interest to Lease Town Property

There has been an increased interest in the Town of Rimbey from many companies looking for Industrial land. The Town owns two parcels of land that is

located north of the Recycle Depot at 6510 and 6412 – 40 Street and south of Central Alberta Raceways. The parcel located beside and north of the Recycle Depot contains 12.5 acres and the parcel located south of the race track contains 7.2 acres. This land is bare land without services.

Administration has received an expression of interest from SLC Canada looking to set up a recycling processing depot, as they have a market for tire chips and plastics as well as other recyclables in the area between Edmonton and Calgary. This company expects that when fully operational will employ approximately 10-20 people. The location of this facility was proposed for 4717 & 4725-46 Avenue has become unavailable. SLC has expressed interest in leasing the 7.2 acre parcel that is owned by the Town. There has also been interest from another company to possibly lease the other 12.5 acres to be used as a laydown yard. Administration would like to enter into negotiations with interested parties with Council's approval to lease the parcels of land at a market lease rate. The land was originally subdivided as part of the ethanol plant project.

Administration recommends that Council have administration negotiate and enter into agreements with interested parties regarding Town owned parcels located at 4610 & 4612- 40 street regarding leasing options and rate.

Motion 088/13

Moved by Councillor Rondeel that administration negotiate and enter into discussion with interested parties regarding Town owned parcels located at 4610 & 4612- 40 street regarding sales, leasing options and rate.

CARRIED
(5-0)

7.5 Community Events Grant Program – Lions Pancake Breakfast

The Recreation Board received an application for the Community Events Grant Program from the Rimbey Lions Club for the Pancake Breakfast on March 17, 2013. The request was for \$500.00.

The Recreation Board recommends providing funding of \$500.00 from the Community Events Grant Program as they meet all the requirements.

Motion 089/13

Moved by Councillor Webb that Council approve the Rimbey Lions Club application in the amount of \$500.00 from the Community Events Grant Program for the Pancake Breakfast.

CARRIED
(5-0)

8 members of the public departed the meeting at 7:35 pm.

7.6 2013 Operating Budget – Final Draft

Council met on March 15, 2013 to review the final draft of the 2013 Operating Budget.

A copy of the final draft of the 2013 Operating Budget was distributed to Council for their perusal. A public budget meeting has been scheduled for 7:00 pm, Wednesday, April 3, 2013 in the main auditorium of the Rimbey Community Centre.

Administration recommends that Council approve the final draft of the 2013 Operating Budget which will be presented at the public meeting scheduled for 7:00 pm, Wednesday, April 3, 2013 in the main auditorium of the Rimbey Community Centre.

Motion 090/13

Moved by Mayor Ibbotson that Council approve the final draft of the 2013 Operating Budget which will be presented at the public meeting scheduled for 7:00 pm, Wednesday, April 3, 2013 in the main auditorium of the Rimbey

Community Centre.

CARRIED
(5-0)

7.7 Community Gardens

The Town of Rimbey has a Community Garden located at 4938 50th Street. Ground was broke last fall for another Community Garden located at 100 Eastview Crescent.

Mr. Dave Karrol has submitted to Administration a letter and a list of individuals who are opposed to the new Community Garden located at 100 Eastview Crescent.

Administration recommends that Council decide whether to proceed with the Community Garden at this location.

Councillor Rondeel gave a report on the old garden plot located at 4938 50 St. and the poor quality of the soil.

Councillor Rondeel indicated that a Community Garden meeting is scheduled for 7:00 pm on April 4, 2013 at the Community Centre for individuals who are interested in using the Community Gardens.

2 members of the public departed the meeting at 7:42 pm.

Motion 091/13

Moved by Councillor Ellis that discussions on the Community Gardens be tabled to the April 8, 2013 Council Meeting.

CARRIED
5-0

7.8 Letter of Resignation, Director of Community Services, Rick Kreklewich

Motion 092/13

Moved by Mayor Ibbotson that Council accept the letter of resignation from Director of Community Services, Rick Kreklewich, with regret.

CARRIED
(5-0)

8. Reports

8.1 Department Reports

8.1.1 Finance Reports

Director of Finance presented the following reports:
Accounts Payable Cheque Listing to March 15, 2013
Council Expenses to March 15, 2013

Motion 093/13

Moved by Councillor Webb that Council accept the Accounts Payable Cheque Listing to March 15, 2013 as presented.

CARRIED
(5-0)

Motion 094/13

Moved by Councillor Rondeel to accept the Council Expenses to March 15, 2013 as presented.

CARRIED
(5-0)

2 members of the public entered the meeting at 7:45 pm.

8.2 Boards/Committee Reports

- 8.2.1 Beatty Heritage House Society Minutes March 4, 2013
 8.2.2 FCSS/RCHHS Meeting Minutes February 13, 2013
 8.2.3 Rimbey Historical Society Meeting Minutes January 15, 2013

Motion 095/13

Moved by Councillor Webb to accept reports 8.2.1, 8.2.2 and 8.2.3 as presented.

CARRIED
(5-0)

8.3 Council Reports

8.3.1 Mayors Report

The Mayor provided a written report.

8.3.2 Councillor Ellis's Report

Councillor Ellis provided a written report.

8.3.3 Councillor Payson's Report

No report.

8.3.4 Councillor Rondeel's Report

Councillor Rondeel provided a written report.

8.3.5 Councillor Webb's report

No report.

Motion 096/13

Moved by Councillor Rondeel that Council accept reports 8.3.1, 8.3.2, and 8.3.4, as presented.

CARRIED
(5-0)

9. Correspondence

9.1 Multiple Sclerosis Society of Canada

9.2 Alberta Municipal Affairs

9.3 Rimbey Neighbourhood Place

9.4 Rimbey Early Child Development Coalition

9.5 Best Western Rimstone Ridge Hotel

9.6 WCB – National Day of Mourning, April 28th

Motion 097/13

Moved by Mayor Ibbotson to proclaim the month of May 2013 "MS Awareness Month".

CARRIED
(5-0)

Motion 098/13

Moved by Councillor Ellis to send a letter of congratulations to the Best Western Rimstone Ridge Hotel on their award.

CARRIED
5-0

Motion 099/13

Moved by Mayor Ibbotson to lower the Town Flag to half-mast for the day of April 28, 2013 in honor of the National Day of Mourning.

CARRIED
(5-0)


Motion 100/13

Moved by Councillor Ellis to accept items 9.2, 9.3, and 9.4, and as information.

CARRIED
(5-0)

10. In Camera None

11. Adjournment Council adjourned the meeting at 7:50 pm



MAYOR



CHIEF ADMINISTRATIVE OFFICER