

Meeting Minutes - Final
Council

Tuesday, December 10, 2019

9:00 AM

Council Chambers

A. CALL TO ORDER AND RELATED BUSINESS

Mayor Hnatiw was in attendance via telephone conferencing, in accordance with section 199 of the Municipal Government Act and Sturgeon County Procedure Bylaw 1301/13.

Present: 7 - Mayor Alanna Hnatiw, Councillor Dan Derouin, Councillor Kristin Toms, Councillor Wayne Bokenfohr, Councillor Neal Comeau, Councillor Patrick D. Tighe, and Councillor Karen Shaw

A.1 CALL TO ORDER

Deputy Mayor Comeau called the December 10, 2019 Regular Council Meeting to order at 9:00 a.m. and acknowledged that Council meets on Treaty 6 Territory, a traditional meeting ground for many Indigenous Peoples, and in particular the Michel Band and Alexander First Nation, and also recognized the Métis and Inuit, whose footsteps have marked these lands and share a deep rooted history.

Deputy Mayor Comeau extended congratulations on behalf of Sturgeon County to the Alexander First Nation on the opening of a new gas station.

Administration Present

Reegan McCullough, County Commissioner - CAO
Scott MacDougall, General Manager, Infrastructure Services
Ed Kaemingh, Director, Financial & Strategic Services
Jesse Sopko, Director, Corporate Services
Travis Peter, Director, Development Services
Colin Krywiak, Manager, Development Support Services
Jeff Yanew, Manager, Utility & Waste Management Services
Brian Hartman, Manager, Engineering Services
Tyler Westover, Manager, Economic Development
Sabrina Duquette, Acting Manager, Financial Services
Jocelyn Pearce, Senior Financial Analyst, Financial Services
Mark Guerette, Senior Infrastructure Engineering Officer, Engineering Services
Arjen De Klerk, Senior Planning & Development Officer, Development Support Services
Martyn Bell, Senior Planning & Development Officer, Development Support Services
Hayley Wasylycia, Planning Officer, Development Support Services
Tosin Ajayi, Financial Analyst, Financial Services
Lisa Schovanek, Legislative Officer, Legislative Services

A.2 ADOPTION OF AGENDA

W. Bokenfohr MOVED:

Motion 500/19: That Council adopt the December 10, 2019 Regular Council Meeting as amended with the addition of Item H.1 - Councillor Derouin - Notice of Motion re Train Whistling Cessation and H.2 - Councillor Tighe - Notice of Motion re Roadside Memorials.

CARRIED UNANIMOUSLY

For:6 - A. Hnatiw, D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, and P.D. Tighe

A.3 ADOPTION OF MINUTES

A.3.1 November 26, 2019 Regular Council Meeting Minutes

K. Toms MOVED:

Motion 501/19: That Council adopt the November 26, 2019 Regular Council Minutes as presented.

CARRIED UNANIMOUSLY

For:6 - A. Hnatiw, D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, and P.D. Tighe

A.3.2 November 27, 2019 Council Budget Meeting Minutes

K. Toms MOVED:

Motion 502/19: That Council adopt the November 27, 2019 Council Budget Meeting Minutes as presented.

CARRIED UNANIMOUSLY

For:6 - A. Hnatiw, D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, and P.D. Tighe

A.3.3

November 28, 2019 Council Budget Meeting Minutes

D. Derouin MOVED:

Motion 503/19: That Council adopt the November 28, 2019 Council Budget Meeting Minutes with the following amendment:

*** Notation that Councillor P.D. Tighe was present at the meeting as of 11:24 a.m.**

CARRIED UNANIMOUSLY

For:6 - A. Hnatiw, D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, and P.D. Tighe

D. NEW BUSINESS

D.1

2020 Proposed Operating & Capital Budget, 2021-2023
Proposed Operating Financial Forecast and 2021-2025
Proposed Capital Financial Forecast

Presented by Ed Kaemingh, Director, Financial & Strategic Services; Sabrina Duquette, Acting Manager, Financial Services; and Jocelyn Pearce, Senior Financial Analyst, Financial Services.

Councillor Shaw joined the meeting at 9:15 a.m. via telephone conferencing, in accordance with section 199 of the Municipal Government Act and Sturgeon County Procedure Bylaw 1301/13.

W. Bokenfohr MOVED:

Motion 504/19: That Council direct Administration to include Service Enhancement OP-21 - Protective Services - Provincial Police Funding as part of the 2020 Operating Budget.

CARRIED UNANIMOUSLY

For:7 - A. Hnatiw, D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

W. Bokenfohr MOVED:

Motion 505/19: That Council approve the 2020 Operating and Capital Budget as amended by motions passed on November 28, 2019 and December 10, 2019 and represented by a 1.18% tax rate increase.

CARRIED

For:5 - A. Hnatiw, K. Toms, W. Bokenfohr, N. Comeau, and K. Shaw

Against:2 - D. Derouin, and P.D. Tighe

W. Bokenfohr MOVED:

Motion 506/19: That Council approve in principle the 2021-2023 Operating Financial Forecast and the 2021-2025 Capital Financial Forecast as presented in the 2020 Operating & Capital Budget document and amended by motions passed on November 28, 2019 and December 10, 2019.

CARRIED UNANIMOUSLY

For:7 - A. Hnatiw, D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

D.2 Bylaw 1466/19 - 2020 Fees and Charges

Presented by Jocelyn Pearce, Senior Financial Analyst, Financial Services.

D. Derouin MOVED:

Motion 507/19: That Council give first reading of Bylaw 1466/19.

CARRIED UNANIMOUSLY

For:7 - A. Hnatiw, D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

D. Derouin MOVED:

Motion 508/19: That Council give second reading of Bylaw 1466/19.

CARRIED UNANIMOUSLY

For:7 - A. Hnatiw, D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

D. Derouin MOVED:

Motion 509/19: That Council consider third reading of Bylaw 1466/19.

CARRIED UNANIMOUSLY

For:7 - A. Hnatiw, D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

D. Derouin MOVED:

Motion 510/19: That Council give third reading of Bylaw 1466/19.

CARRIED UNANIMOUSLY

For:7 - A. Hnatiw, D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

D.3 Bylaw 1447/19 - Debenture for Alberta Industrial Heartland Waterline Project (First Reading)

Presented by Sabrina Duquette, Acting Manager, Financial Services; and Tosin Ajayi, Financial Analyst, Financial Services.

Jeff Yanew, Manager, Utility & Waste Management Services, was also in attendance to answer questions from Council regarding Bylaw 1447/19.

W. Bokenfohr MOVED:

Motion 511/19: That Council give first reading of Bylaw 1447/19.

CARRIED UNANIMOUSLY

For:7 - A. Hnatiw, D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

D.4 Bylaw 1463/19 - Amendment to Land Use Bylaw 1385/17 - Recreational Vehicle Storage District (First Reading)

Presented by Hayley Wasylycia, Planning Officer, Development Support Services; and Arjen De Klerk, Senior Planning & Development Officer, Development Support Services.

D. Derouin MOVED:

Motion 512/19: That Council give first reading of Bylaw 1463/19.

CARRIED UNANIMOUSLY

For:7 - A. Hnatiw, D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

D.5 Bylaw 1464/19 - Master Utility Services Bylaw (Third Reading)

Presented by Jeff Yanew, Manager, Utility & Waste Management Services.

K. Toms MOVED:

Motion 513/19: That Council give third reading of Bylaw 1464/19 as amended.

CARRIED UNANIMOUSLY

For:7 - A. Hnatiw, D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

The meeting was recessed at 9:59 a.m.

Councillor Shaw disconnected from the meeting at 9:59 a.m.

Councillor Shaw joined the meeting at 10:05 a.m. in person.

The meeting was reconvened at 10:05 a.m. with all those members of Council previously listed in attendance.

D.6

10:00 a.m. CLOSED SESSION - Investigation Update
Closed session pursuant to section 197(2) of the Municipal Government Act and in accordance with section 17 (disclosure harmful to personal privacy) and section 24 (advice from officials) of the Freedom of Information and Protection of Privacy Act

P.D. Tighe MOVED:

Motion 514/19: That Council move to a closed session at 10:06 a.m. pursuant to section 197(2) of the Municipal Government Act and in accordance with section 17 (disclosure harmful to personal privacy) and section 24 (advice from officials) of the Freedom of Information and Protection of Privacy Act.

CARRIED UNANIMOUSLY

For:7 - A. Hnatiw, D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

Presented by Jesse Sopko, Director, Corporate Services.

The following members of Administration and the public were in attendance for the closed session to provide information and/or administrative assistance:

Reegan McCullough, County Commissioner - CAO; Jamie Pytel, Kingsgate Legal; and Michael Solowan, Brownlee LLP.

Councillor Derouin declared a pecuniary interest at 11:49 a.m. and left the meeting.

P.D. Tighe MOVED:

Motion 515/19: That Council move out of the closed session at 12:07 p.m.

CARRIED UNANIMOUSLY

For:6 - A. Hnatiw, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

Recused:1 - D. Derouin

The meeting was recessed at 12:07 p.m. to allow return of the public.

The meeting was reconvened at 12:07 p.m. with all members of Council previously listed in attendance, with the exception of Councillor Derouin, who was recused.

P.D. Tighe MOVED:

Motion 516/19: That Council adopt the investigation report and reasons provided by Kingsgate Legal.

CARRIED UNANIMOUSLY

For:6 - A. Hnatiw, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

Recused:1 - D. Derouin

P.D. Tighe MOVED:

Motion 517/19: That Council direct the Mayor to issue a letter on behalf of Council advising the Complainants of the outcome of the investigation.

CARRIED UNANIMOUSLY

For:6 - A. Hnatiw, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

Recused:1 - D. Derouin

The meeting was recessed at 12:09 p.m.

The meeting was reconvened at 1:03 p.m. with all those members of Council previously listed in attendance with the exception of Mayor Hnatiw.

Present: 6 - Councillor Dan Derouin, Councillor Kristin Toms, Councillor Wayne Bokenfohr, Councillor Neal Comeau, Councillor Patrick D. Tighe, and Councillor Karen Shaw

Absent: 1 - Mayor Alanna Hnatiw

NEW BUSINESS...continued**D.8****CLOSED SESSION - Land Matter**

Closed session pursuant to Section 197(2) of the Municipal Government Act and in accordance with section 24 (advice from officials) and section 27 (privileged information) of the Freedom of Information and Protection of Privacy Act

K. Shaw MOVED:

Motion 518/19: That Council move to a closed session at 1:03 p.m. pursuant to section 97(2) of the Municipal Government Act and in accordance with section 24 (advice from officials) and section 27 (privileged information) of the Freedom of Information and Protection of Privacy Act.

CARRIED UNANIMOUSLY

For:6 - D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

Presented by Brian Hartman, Manager, Engineering Services; and Mark Guerette, Senior Infrastructure Engineering Officer, Engineering Services.

The following members of Administration were also in attendance for the closed session to provide information and/or administrative assistance:

Reegan McCullough, County Commissioner - CAO; Scott MacDougall, General Manager, Infrastructure Services; Ed Kaemingh, Director, Financial & Strategic Services; Jesse Sopko, Director, Corporate Services; Travis Peter, Director, Development Services; and Lisa Schovanek, Legislative Officer, Legislative Services.

P.D. Tighe MOVED:

Motion 519/19: That Council move out of the closed session at 1:17 p.m.

CARRIED UNANIMOUSLY

For:6 - D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

The meeting was recessed at 1:17 p.m. to allow return of the public.

The meeting was reconvened at 1:18 p.m. with all those members of Council previously listed in attendance.

P.D. Tighe MOVED:

Motion 520/19: That Council direct Administration to proceed with Option #5 in the confidential Request for Decision in Item D.8 of the December 10, 2019 Regular Council Meeting.

CARRIED UNANIMOUSLY

For:6 - D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

P.D. Tighe MOVED:

Motion 521/19: That Council direct that the Request for Decision and attachment remain confidential in accordance with section 24 (advice from officials) of the Freedom of Information and Protection of Privacy Act.

CARRIED UNANIMOUSLY

For:6 - D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

H. NOTICES OF MOTION

H.1 Add H.1 Councillor Derouin Notice of Motion

Councillor Derouin gave notice that he will introduce the following motion at the January 14, 2020 Regular Council Meeting:

That Council direct Administration to prepare a train whistle cessation bylaw for Council consideration at the February 11, 2020 Regular Council Meeting.

H.2 Councillor Tighe Notice of Motion re Roadside Memorials

Councillor Tighe gave notice that he will introduce the following motion at the January 14, 2020 Regular Council Meeting:

That Council direct Administration to draft a roadside memorial policy to be presented to Council by June 23, 2020.

C. PRESENTATIONS/PUBLIC HEARINGS/INTERVIEWS

C.1 PUBLIC HEARINGS

C.1.1 1:30 p.m. Public Hearing - Bylaw 1460/19 - Amendment of Land Use Bylaw 1385/17 - Direct Control District for Calahoo Waste Disposal and Meridian Waste Disposal

Deputy Mayor Comeau opened the Public Hearing at 1:32 p.m. and provided a review of the Public Hearing Process.

Bylaw 1460/19 received first reading at the November 12, 2019 regular Council Meeting.

A Public Hearing was held to hear any submissions for or against Bylaw 1460/19. Council received 137 submissions prior to publication of the December 10, 2019 agenda.

Colin Krywiak, Manager, Development Support Services, and Martyn Bell, Senior Planning and Development Officer, Development Support Services introduced Bylaw 1460/19.

Lyle Quintal, Applicant, Calahoo Waste; Damian MacMillan, Applicant, Calahoo Waste; and Martin Kaup, counsel for the Applicants, attended and spoke in favour of Bylaw 1460/19.

The following residents spoke against Bylaw 1460/19:

- * Lois Schmermund
- * Mike Schmermund
- * Carol Schmermund
- * Anita Bergstreiser
- * Raylene Schmermund
- * Lois Dutton
- * Carol-Anne Eszczuk

Ryan O'Connor, lawyer, Nickerson Roberts Holinski & Mercer, came forward and spoke on behalf of his clients against Bylaw 1460/19.

The following individuals spoke in favour of Bylaw 1460/19:

- * Marvin Perrott
- * Brian Reed

Deputy Mayor Comeau asked if there were any closing remarks.

The Applicants provided closing remarks.

Deputy Mayor Comeau asked if Council had any questions of Administration.

Martyn Bell, Senior Planning & Development Officer, Development Support Services, responded to questions from Council.

Deputy Mayor Comeau asked if there was anyone else who wished to speak either in favour or against Bylaw 1460/19.

Christopher Newling, Edmonton resident, came forward and spoke against Bylaw 1460/19.

The following additional written submissions were received after publication of the Agenda and were read aloud by Lisa Schovanek, Legislative Officer, Legislative Services:

- * Email from Jason Powell
- * Email from Warren Cross
- * Email from Doug and Julia Kinsella
- * Email from Mack Quintal
- * Letter from Wayne Quintal
- * Email from Bob and Tawney McRae
- * Email from Carla and Richard Hoffart
- * Email from Marlene Wolski

Deputy Mayor Comeau declared the Public Hearing closed at 4:34 p.m.

The meeting was recessed at 4:34 p.m.

The meeting was reconvened at 4:39 p.m. with all those members of Council previously listed in attendance.

NEW BUSINESS...continued**D.7**

CLOSED SESSION - Intergovernmental Affairs Update
Closed session pursuant to section 197(2) of the Municipal Government Act and in accordance with section 24 (advice from officials) of the Freedom of Information and Protection of Privacy Act

K. Shaw MOVED:

Motion 522/19: That Council receive the confidential Request for Decision and attachments as information and refer the matter to the January 7, 2020 special Committee of the Whole Meeting.

CARRIED UNANIMOUSLY

For:6 - D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

D.9

CLOSED SESSION - Contractual Matter
Closed session pursuant to section 197(2) of the Municipal Government Act and in accordance with section 17 (disclosure harmful to personal privacy) and section 25 (disclosure harmful to economic or other interests) of the Freedom of Information and Protection of Privacy Act

K. Toms MOVED:

Motion 523/19: That Council move to a closed session at 4:40 p.m. pursuant to section 197(2) of the Municipal Government Act and in accordance with section 24 (advice from officials) and section 27 (privileged information) of the Freedom of Information and Protection of Privacy Act.

CARRIED UNANIMOUSLY

For:6 - D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

Presented by Jesse Sopko, Director, Corporate Services.

Reegan McCullough, County Commissioner - CAO, was also in attendance for the closed session.

K. Shaw MOVED:

Motion 524/19: That Council move out of the closed session at 4:45 p.m.

CARRIED UNANIMOUSLY

For:6 - D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

The meeting was recessed at 4:45 to allow return of the public.

The meeting was reconvened at 4:46 with all those members of Council previously listed in attendance.

K. Toms MOVED:

Motion 525/19: That Council take direction as indicated in the closed session document of Item D.9 of the December 10, 2019 Regular Council Meeting.

CARRIED UNANIMOUSLY

For:6 - D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

K. Toms MOVED:

Motion 526/19: That Council direct that the document provided remain confidential in accordance with section 17 (disclosure harmful to personal privacy) of the Freedom of Information and Protection of Privacy Act.

CARRIED UNANIMOUSLY

For:6 - D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

I. ADJOURNMENT

W. Bokenfohr MOVED:

Motion 527/19: That Council adjourn the December 10, 2019 Regular Council Meeting at 4:46 p.m.

CARRIED UNANIMOUSLY

For:6 - D. Derouin, K. Toms, W. Bokenfohr, N. Comeau, P.D. Tighe, and K. Shaw

MAYOR

COUNTY COMMISSIONER (CAO)