

MINUTES
TOWN OF SEXSMITH
REGULAR COUNCIL MEETING

MONDAY APRIL 22, 2013

Mayor Lagace called this regular Council meeting of Town Council to order at 6:30 p.m. in the Council Chambers in the Town of Sexsmith.

**COUNCIL
PRESENT**

Claude Lagace
Don Jickling
Isak Skjaveland
Jonathan Siggelkow
Nicole Cooke
Matthew Barnfield
Rick Sakundiak

Mayor
Deputy Mayor
Councillor
Councillor
Councillor
Councillor
Councillor

**COUNCIL
ABSENT**

**STAFF
PRESENT**

Carolyn Gaunt
Rachel Wueschner

Town Administrator
Assistant Administrator

**PUBLIC
PRESENT**

Patrick Aiello, Julianna Merriam, Jordan Hack, Tyler Cartwright,
Tara Cartwright, Merry Moore, Les Harms

DELEGATIONS

**ADOPTION
OF AGENDA**

RESOLUTION NO. 098-04-13

Moved by Councillor Skjaveland that the agenda for this meeting be adopted with the following additions:

BUSINESS ARISING

- 7. Memorandum of Understanding- COPS
- 8. Sexsmith Arena Boards

CARRIED

**PUBLIC
SESSION**

Mr. Aiello from Forest Grove expressed his concern with the swale in his neighborhood. He said there was a heavy rainfall Friday. Water was coming back from the lagoon into his backyard. He felt there are design flaws in the system. He wondered what Council was going to do about this. Mr. Aiello explained water is lying beside the swale rather than going down it. He would like a better system put in place. He thinks maybe the swale should have been larger. Mr. Aiello asked who approved this. He stated the onus is on the Town. He asked what is happening with the fencing and who will be paying for the costs? Mayor Lagace explained the pipe backed up because the pond was high. The pond should have been pumped out. The design for the system came from

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two engineers. The swale is not complete it needs to have more dirt put in and grass seeded. Mr. Aiello asked if the Town was then asking the landowner to incur costs by putting dirt back in. Councillor Barnfield mentioned the grades were incorrect and this is the reason the swale got put in. Mr. Aiello said there are laws we have to follow. Councillor Barnfield agreed that the Town could have gone back to the landowners with the improper grading and charged them to bring the property to the proper grade. Mrs. Cartwright said that for those of them that were off by one inch because of this their fences are out and they have to deal with this. She said this has been chaos and there has been no letter to residents since October as to when fences can be put back up. Ms. Merriam said we had gorgeous weather last summer and nothing was started until October. Councillor Siggelkow said the owners actually own the land the swale is on. It's a right of way and a building can't be put there. The CAO Carolyn Gaunt clarified, this is a registered right of way and you do own this land.

Mr. Aiello said if you need to go in again I will have to incur costs to do landscaping. It's not going to work. Water does not flow uphill. The lagoon was not pumped out. It was procrastinated to the point that my basement almost flooded. The CAO said we have left it up to our engineers. We called them about the water issues and have been leaving it up to them. Mr. Aiello said that someone is going to get sued the engineers or the Town.

Another resident commented landscaping has not been done in some areas. We need to have proper drainage for the lagoon. Mayor Lagace said that once the lagoon is completed it is designed to hold a 100 year flood.

Mr. Aiello asked where the creek flows to. Mayor Lagace said it flows to the County of Grande Prairie.

Councillor Sakundiak asked who's responsibility it is to pump out the lagoon. The CAO said this is the responsibility of the engineers until the project is completed. Once it is completed it will be the responsibility of the Town.

Mayor Lagace said the Town wants to clean out the creek to make it flow better. Mr. Aiello asked when this would be done. Mayor Lagace said phase 1 will be done this year.

Councillor Siggelkow said that when the lagoon pumps out it should not be when there is a rainstorm. The lagoon will pump automatically when it is finished. Councillor Sakundiak asked if the pumps were working now. Alan Gordey of Public Works commented the water is just circulating right now.

A resident commented if we didn't have that storm drain we would have been flooded. Mr. Aiello asked if the Town has deadlines for the engineers and what are the penalties if they don't have things done? We have the right to know what is being done with our money. The CAO responded we are pushing them as much as we can. The problem is there has been snow in the way since October. Mr. Aiello asked, do you have nothing in writing? What's their deadline? The CAO said there is no deadline. Mr. Aiello said this is a gray area. We don't have

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a leg to stand on with these guys it seems. The CAO said the contractors have a deadline and they are done. Mr. Aiello said the engineers have nothing set in stone. I don't know who approved this. The Mayor clarified there are two different projects here with the same engineer. The swale is a done deal with the engineers. The CAO said contractors are the ones who are given deadlines. Engineers don't have a time frame. They go in after a project is completed. Mr. Aiello said we as tax payers are paying your salaries. This is unacceptable. Technically you are running a business. I want to get out of here. This is the most mismanaged Council I have seen. There is a lot of gray area here.

Councillor Barnfield said in Grande Prairie subdivisions are done the same way. If everyone had done their grading right there would be no problem. Councillor Siggelkow said home owners are responsible for their own grades. The CAO said the right of way is registered on your land title. Fences were put in unevenly. The Town Council has tried to help the landowners. Mr. Aiello asked where bylaw enforcement was. The CAO said this goes through the land use bylaw. It's not a bylaw set up so that you can ticket people. It's governed by stop orders. There is a different procedure for enforcement. The Council is trying to help to fix the problem by putting in the swale. Mr. Aiello said he is looking for a time frame. Mayor Lagace said the Council will be discussing this tonight. The grade of the land should be where the swale is. One resident said we should be able to wrap this up. Mayor Lagace said we are meeting with them tomorrow. We have been pushing them to pump it out. This is too close now to flooding. Councillor Sakundiak said he was the first to build a home in Forest Grove and the water flowed over his grass and into the creek. I knew it was my responsibility to fix this. The work to fix the grades could have been done and then charged directly to the land owners. He said he didn't know the pump wasn't working.

Mr. Aiello asked who is going back on Ed Warkentin for this. The tax payer should not have to incur these costs. Councillor Siggelkow said it was not his mistake. It is the finished grades done by landowners that are the problem. There was no mistake. In Grande Prairie now it is the landowner's responsibility before occupancy permits are issued. Councillor Barnfield said that in Pinnacle there have been fights for years because of problems like this. Mr. Aiello said no one enforced the grades. The CAO said the utility right of way is on your title. It says people are not even allowed to put fences up without approval. Not one lot was graded properly.

Mr. Aiello recommended fences are set up to the property line. The Town needs to send a letter to owners. Councillor Siggelkow said the landowner owns the land in the easement but the Town has the right to tell residents what to do with it. The CAO said you have restrictive covenants of what you can do.

Merry Moore said that she can understand people's frustration in Forest Grove. The Town continues to pile snow on my property. Now they have extended it but now we have a mud bog in the back. The Town should not run water directly on someone's property. I lost all the soil on my flowerbed in the back. It's engineered right but water is coming onto my property and has taken my soil out.

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Councillor Siggelkow suggested that maybe the land owners need to have a meeting. They don't understand about fencing and property lines. Mayor Lagace said that letters went out last year. We can do this, go door to door and set a meeting. Mr. Aiello said we are confused. Let's have a meeting and get this finished. Another resident said we have flooded for the last five years. We are on the North end of the street. This is the first time we haven't flooded so the swale worked for us. The fencing should be left back so that equipment can get in. A resident said we will need new property reports to show the dimensions of our property. Councillor Siggelkow said the Town wanted to give people bigger back yards. Councillor Sakundiak said he liked the idea of recouping some of the costs.

A resident said the Community Centre parking lot is extremely muddy could you talk about ways to make it better? Councillor Sakundiak said he had brought this up before. The resident said she had not seen it in the minutes and would like to see it brought up. Councillor Sakundiak said this is because it was discussed at a Corporate Services meeting. Mayor Lagace said it has been brought up at the Community Centre meeting.

Tyler & Tara Cartwright left the meeting at 7:30 p.m.

DELEGATIONS

**ADOPTION
OF MINUTES**

RESOLUTION NO. 099-04-13

Moved by Councillor Siggelkow that Council approve the Regular Council meeting minutes of April 2, 2013.

CARRIED

**BUSINESS
ARISING**

**ANIMALS IN
PUBLIC
BUILDINGS**

RESOLUTION NO 100-04-13

Moved by Councillor Siggelkow that Council create a new animal control bylaw to include a section allowing a sign to be erected on Public Property Areas where dogs are prohibited. This bylaw would exclude guide dogs from being prohibited in these areas. The board of the building or if no board exists the CAO will determine if such a sign will be erected.

CARRIED

**BYLAW NO.
836B Garbage
& Recycling Bylaw**

RESOLUTION NO. 101-04-13

Councillor Cooke made a motion for third and final reading to Bylaw No. 836B Garbage & Recycling Bylaw.

CARRIED

**PAINTED SKY
PHASE 1**

RESOLUTION NO. 102-04-13

Councillor Barnfield made a motion to move costs for Painted Sky Phase 1 to an in camera session.

CARRIED

Mayor Lagace declared a 5 minute break at 8:25 p.m.

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**BYLAW NO. 909
Business License
Bylaw**

RESOLUTION NO. 103-04-13

Councillor Jickling made a motion to give first reading to Business Bylaw No. 909.

CARRIED

RESOLUTION NO. 104-04-13

Councillor Barnfield made a motion to give second reading to Business Bylaw No. 909.

CARRIED

RESOLUTION NO. 105-04-13

Councillor Skjaveland made a motion to give third and final reading to Business Bylaw No. 909.

DEFEATED

**FOREST GROVE
SWALE**

RESOLUTION NO. 106-04-13

Councillor Barnfield made a motion to table Forest Grove Swale until after consultation is made with residents.

CARRIED

AGREEMENT

RESOLUTION NO. 107-04-13

Councillor Barnfield made a motion to renew the Regional Safety Code Administration Agreement for two years.

CARRIED

MOU FOR COPS

RESOLUTION NO. 108-04-13

Councillor Skjaveland made a motion to accept this for information.

CARRIED

NEW BUSINESS

BYLAW NO. 911

RESOLUTION NO. 109-04-13

Councillor Barnfield gave first reading to Bylaw No. 911 to rezone part of NE 25-73-6W6 from (R-1) single family residential to (R-2) general residential.

CARRIED

Patrick Aiello, Julianna Merrian & Jordan Hack left the meeting at 8:55 p.m.

BYLAW No. 910

RESOLUTION NO. 110-04-13

Councillor Barnfield made a motion to give first reading to Bylaw No. 910 to rezone part of SE 24-73-6W6 from farmland to (C3) secondary commercial.

CARRIED

**MUSEUM
SOCIETY**

RESOLUTION NO. 111-04-13

Councillor Barnfield made a motion to provide the Sexsmith & District Museum Society with \$2,000 per month for a period of six months to help cover costs.

CARRIED

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**CREEK
CLEANING**

RESOLUTION NO. 112-04-13

Councillor Barnfield made a motion to reapply for approval from environment on cleaning the creek.

CARRIED

**FINANCIAL
REPORTS**

None

**INFORMATION
ITEMS**

For information only

**COMMITTEE
REPORT**

For information only.

Siggelkow	<p>Is anything being done about the Community Centre parking lot?</p> <p>Can CAO look into permit for deck for resident?</p> <p>There is R-2 housing in Rycroft Ridge and we don't notice it. Residents should consider this.</p>	<p>Public Works to add gravel.</p> <p>CAO to get information.</p> <p>For information only.</p>
Sakundiak	<p>Would like permission to advertize for cleaning services at the Community Centre.</p> <p>There is a street light out across from the Curling Rink and one out behind Case Veterinarian.</p>	<p>This was given November 5th, 2012.</p> <p>Public Works will check on this.</p>
Barnfield	<p>The Town should look at hiring a bylaw officer for the control of dogs and unsightly premises.</p> <p>Curbs and hydrants should be painted pink to support the Wild Pink Yonder fundraising efforts.</p> <p>Left over 75th anniversary signs could be</p>	<p>To be discussed at budget meeting.</p> <p>For information only.</p> <p>For information only.</p>

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	recycled and used for the Wild Pink Yonder fundraiser by attaching pink stickers to them.	
Cooke	<p>St. Mary's school is having issues with space. They are putting pressure on MLA's.</p> <p>It was Earth Day today. Lots of little ones were out picking up garbage. A thank you to them.</p> <p>April 25th there is a meeting with the physician retention & recruiting committee.</p>	<p>For information only.</p> <p>For information only.</p> <p>For information only.</p>
Skjaveland	I have heard there may be a commercial kitchen put in the Community Centre. This would be in conflict with the Civic Centre.	For information only.

Merry Moore left the meeting at 9:35 p.m.

Mayor Lagace declared a 5 minute break at 9:35 p.m.

IN CAMERA

RESOLUTION NO. 113-04-13

Councillor Barnfield made a motion to go in camera at 9:40 p.m.

CARRIED

Discussion on costs to Painted Sky Phase 1. No motions were made.

RESOLUTION NO. 114-04-13

Councillor Siggelkow made a motion to go out of camera at 10:20 p.m.

CARRIED

Alan Gordey left the meeting at 10:20 p.m.

RESOLUTION NO. 115-04-13

Councillor Cooke made a motion to go in camera at 10:21 p.m.

CARRIED

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The benefits plan for municipal employees was discussed. No motions were made.

The resignation of the Sentinel Editor was discussed.

RESOLUTION NO. 116-04-13

Councillor Barnfield made a motion to go out of camera at 10:40 p.m.

CARRIED

RESOLUTION NO. 117-04-13

Councillor Siggelkow made a motion to advertize by request for proposal for a contract position for the Sentinel editor.

CARRIED

ADJOURNMENT

RESOLUTION NO. 118-04-13

Councillor Barnfield made a motion to adjourn at 10:42 p.m.

CARRIED

Claude Lagace, Mayor

Carolyn Gaunt, Town Administrator