

COUNCIL MEETING MINUTES

September 25, 2018
9:00 a.m. Call to Order
9:05 a.m. Closed Session
2:00 p.m. Open Session
Council Chamber
401 Festival Lane
Sherwood Park, AB

Members Present: Rod Frank, Mayor
Robert Parks, Ward 1
Dave Anderson, Ward 2
Brian Botterill, Ward 3
Bill Tonita, Ward 4
Paul Smith, Ward 5
Linton Delaine, Ward 6
Glen Lawrence, Ward 7 (joined via teleconference for items 8.5, 9.1, 9.2, 9.4, 9.5 and 9.6)
Katie Berghofer, Ward 8

Administration Present: Rob Coon, Chief Commissioner
Kevin Glebe, Assoc. Commissioner, Infrastructure and Planning Services
Gord Johnston, Assoc. Commissioner, Community Services
Wayne Minke, A/Chief Financial Officer
Lori Cooper, Assoc. Commissioner, Corporate Services
Mavis Nathoo, Director, Legislative and Legal Services
Jeremy Tremblett, Legislative Officer
Susanne Semchuk, Legislative Officer

1. CALL TO ORDER

Mayor Frank called the meeting to order at 9:00 a.m.

2. CHANGES TO AGENDA & ADOPTION OF AGENDA

2018/ 327

Moved by: B. Botterill

THAT the agenda be adopted with the following changes:

- Delete item 3.3, Establishment of New Council Committees on Accessibility, Seniors, and Youth
- Add new item 3.5, Levy Update
- Add item 9.6, Request for Extension - Strathcona County Investment Program

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delaine, and K. Berghofer

Carried

3. CLOSED SESSION

2018/ 328

Moved by: R. Parks

THAT Council meet in private to discuss matters protected from disclosure under the Freedom of Information and Protection of Privacy (FOIP) Act sections 21, 24, 25 and 27 at 9:04 a.m.

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, and K. Berghofer

Carried

3.1 Chief Commissioner - Introduction of Topics

3.2 Council Advocacy Strategy Update – Fall 2018

FOIP Section 21, harmful to intergovernmental relations

FOIP Section 24, advice from officials

Name	Reason/ Purpose
Rob Coon	Strategic Leader of the Organization
Lori Cooper	Strategic Leader of the Organization
Kevin Glebe	Strategic Leader of the Organization
Gord Johnston	Strategic Leader of the Organization
Wayne Minke	Strategic Leader of the Organization
Mavis Nathoo	Legislative Advice/ Clerk
Elan MacDonald	External Presenter
Yonathan Sumamo	External Presenter
Nancy Lyzaniwski	Presenter
Jackie Porayko	Presenter

3.4 Legal Update – Builders Lien

FOIP Section 24, advice from officials

FOIP Section 27, legal privilege

Name	Reason/ Purpose
Rob Coon	Strategic Leader of the Organization
Lori Cooper	Strategic Leader of the Organization
Kevin Glebe	Strategic Leader of the Organization/ Presenter
Gord Johnston	Strategic Leader of the Organization
Wayne Minke	Strategic Leader of the Organization
Mavis Nathoo	Presenter/Legislative Advice/ Clerk
Stacy Fedechko	To answer questions

- 3.5 Levy Update
FOIP Section 24, advice from officials
FOIP Section 25, economic interests of the municipality

Name	Reason/ Purpose
Rob Coon	Strategic Leader of the Organization
Lori Cooper	Strategic Leader of the Organization
Kevin Glebe	Strategic Leader of the Organization/ Presenter
Gord Johnston	Strategic Leader of the Organization
Wayne Minke	Strategic Leader of the Organization
Mavis Nathoo	Legislative Advice/ Clerk
Stacy Fedechko	To answer questions

2018/ 329

Moved by: B. Tonita

THAT Council revert to open session at 11:00 a.m. and recess until 2:00 p.m

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, and K. Berghofer

Carried

4. PROTOCOL ITEMS

4.1 Treaty 6 Acknowledgement

The Mayor re-convened the Council meeting with an acknowledgement that Strathcona County Council meets on the traditional lands of Treaty 6 nations – including the Blackfoot, Cree, Dene, Gros Ventres, Métis, Nakota Sioux and Saulteau, and that the indigenous people were joined by settlers and pioneers who together built this great community of Strathcona County.

Council observed a moment of silence in remembrance of Strathcona County Firefighter and hero, Darren Anderson, who recently passed.

4.2 Proclamations

World Cerebral Palsy Day	October 6, 2018
Rail Safety Week	September 23-29, 2018
Read In Week	October 1-5, 2018
Library Month	October 2018
Fire Prevention Week	October 7-13, 2018

5. MOTIONS ARISING OUT OF CLOSED SESSION

No motions arose out of the Closed Session.

6. CONSENT AGENDA

2018/ 330

Moved by: B. Botterill

THAT Council consent to approve the following agenda items without debate:

7.1

September 11, 2018 Council Meeting minutes

THAT the September 11, 2018 Special Council Meeting minutes be approved.

8.2

Strathcona County Priority Fund Policy (Review) - Continued

THAT motion 2018/315 and amendment 2018/317 be withdrawn, and;

THAT revised GOV-001-032 Council Priority Fund Policy, as set out in Enclosure 2 of the September 25, 2018 Legislative and Legal Services report, be approved.

9.3

Additional Council Meeting – October 15, 2018

THAT an additional Council meeting be added on October 15, 2018; and that Administration provide notice of the additional meeting to Council and the public.

11.2

Expenditure of Council Priority Funds - Antler Lake Uncas Community League

THAT an expenditure of \$350.00 from Council Priority Funds as follows:

Mayor Rod Frank \$50.00

Councillor Linton Delainey \$50.00

Councillor Glen Lawrence \$250.00

for the purpose of providing funds to Antler Lake Uncas Community League for costs associated with providing refreshments and finger food during their Remembrance Day Service, be approved.

11.3

Expenditure of Council Priority Funds - Brittany Lane Housing Cooperative Ltd.

THAT an expenditure of \$6,300.00 from Council Priority Funds as follows:

Mayor Rod Frank \$1,250.00

Councillor Robert Parks \$1,100.00

Councillor Dave Anderson \$1,500.00

Councillor Brian Botterill \$250.00

Councillor Bill Tonita \$750.00

Councillor Paul Smith \$500.00

Councillor Linton Delainey \$200.00

Councillor Glen Lawrence \$500.00

Councillor Katie Berghofer \$250.00

for the purpose of providing funds to Brittany Lane Housing Cooperative Ltd. for costs associated with adding picnic tables to their green spaces, be approved.

11.4

Expenditure of Council Priority Funds - Sherwood Park Phoenix U17 Girls Soccer

THAT an expenditure of \$7,000.00 from Council Priority Funds as follows:

Mayor Rod Frank \$1,000.00

Councillor Robert Parks \$875.00

Councillor Dave Anderson \$500.00

Councillor Brian Botterill \$650.00

Councillor Bill Tonita \$1,000.00

Councillor Paul Smith \$500.00

Councillor Linton Delaine \$600.00

Councillor Glen Lawrence \$875.00

Councillor Katie Berghofer \$1,000.00

for the purpose of providing funds to the Sherwood Park Phoenix U17 Girls Soccer for costs associated with matching uniforms/attire, be approved.

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delaine, and K. Berghofer

Carried

8. COUNCIL PRIORITIES

8.1 Motion following Notice of Motion

Councillor Delaine withdrew his Notice of Motion.

8.3 Bylaw 28-2018 Traffic Safety Advisory Committee

2018/ 331

Moved by: D. Anderson

THAT bylaw 28-2018, the Traffic Safety Advisory Committee Bylaw, be given first reading.

Carried

In Favour (7): R. Frank, R. Parks, D. Anderson, B. Tonita, P. Smith, L. Delaine, and K. Berghofer
Opposed (1): B. Botterill

2018/ 332

Moved by: R. Parks

THAT section 38 of proposed bylaw 28-2018 be amended to read as follows:

"38. This bylaw is repealed on July 31, 2022."

2018/ 333

Amendment Moved by: B. Botterill

THAT motion 2018/332 be amended to change the date to July 21, 2021.

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delaine, and K. Berghofer

Carried

2018/ 332

Main Motion as Amended Moved by: R. Parks

THAT section 38 of proposed bylaw 28-2018 be amended to read as follows:

"38. This bylaw is repealed on July 31, 2021."

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delaine, and K. Berghofer

Carried

2018/ 334

Moved by: B. Tonita

THAT bylaw 28-2018 be given second reading as amended.

In Favour (7): R. Frank, R. Parks, D. Anderson, B. Tonita, P. Smith, L. Delaine, and K. Berghofer
Opposed (1): B. Botterill

Carried

2018/ 335

Moved by: K. Berghofer

THAT bylaw 28-2018 be considered for third reading.

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delaine, and K. Berghofer

Carried

2018/ 336

Moved by: R. Parks

THAT bylaw 28-2018 be given third reading.

In Favour (7): R. Frank, R. Parks, D. Anderson, B. Tonita, P. Smith, L. Delaine, and K. Berghofer
Opposed (1): B. Botterill

Carried

2018/ 337

Moved by: D. Anderson

THAT the Mandate Letter for the Traffic Safety Advisory Committee, as set out in Enclosure 2, be approved.

In Favour (6): R. Frank, D. Anderson, B. Tonita, P. Smith, L. Delaine, and K. Berghofer
Opposed (2): R. Parks, and B. Botterill

Carried

8.4 Establishment of New Council Committees on Accessibility, Seniors, and Youth

2018/ 338

Moved by: D. Anderson

THAT sections 38 of proposed Bylaws 29-2018; 30-2018 and 31-2018 be amended to read as follows:

"38. This Bylaw is repealed on July 31, 2021"

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, and K. Berghofer

Carried

2018/ 339

Moved by: D. Anderson

THAT Bylaw 29-2018, a bylaw that establishes the Seniors Advisory Committee, be given first reading as amended.

2018/ 340

Moved by: B. Botterill

THAT the motion on the floor (2018/339) be referred to the Community Living Advisory Committee for a report back by the end of the fourth quarter of 2018 on the advisability of the Bylaw, including the best structure to provide advice on seniors' matters.

2018/ 341

Amendment Moved by: B. Tonita

THAT the referral motion be amended to replace the words "the end of the fourth quarter of 2018" to "the end of the first quarter of 2019".

In Favour (7): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, and K. Berghofer
Opposed (1): L. Delainey

Carried

2018/ 340

Main Motion as Amended Moved by: B. Botterill

THAT the motion on the floor (2018/339) be referred to the Community Living Advisory Committee for a report back by the end of the fourth quarter of 2018 on the advisability of the Bylaw, including the best structure to provide advice on seniors' matters.

In Favour (2): R. Parks, and B. Botterill

Opposed (6): R. Frank, D. Anderson, B. Tonita, P. Smith, L. Delainey, and K. Berghofer

Defeated

2018/ 339

Moved by: D. Anderson

THAT Bylaw 29-2018, a bylaw that establishes the Seniors Advisory Committee, be given first reading as amended.

In Favour (5): R. Frank, D. Anderson, P. Smith, L. Delainey, and K. Berghofer

Opposed (3): R. Parks, B. Botterill, B. Tonita

Carried

2018/ 342

Moved by: P. Smith

THAT Bylaw 29-2018 be given second reading.

In Favour (5): R. Frank, D. Anderson, P. Smith, L. Delainey, and K. Berghofer

Opposed (3): R. Parks, B. Botterill, and B. Tonita

Carried

2018/ 343

Moved by: K. Berghofer

THAT Bylaw 29-2018 be considered for third reading.

In Favour (7): R. Frank, R. Parks, D. Anderson, B. Botterill, P. Smith, L. Delainey, and K. Berghofer

Opposed (1): B. Tonita

Defeated

2018/ 344

Moved by: K. Berghofer

THAT Bylaw 30-2018, a bylaw that establishes the Accessibility Advisory Committee, be given first reading as amended.

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, and K. Berghofer

Carried

2018/ 345

Moved by: D. Anderson

THAT Bylaw 30-2018 be given second reading.

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, and K. Berghofer

Carried

2018/ 346

Moved by: P. Smith

THAT Bylaw 30-2018 be considered for third reading.

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, and K. Berghofer

Carried

2018/ 347

Moved by: B. Tonita

THAT Bylaw 30-2018 be given third reading.

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, and K. Berghofer

Carried

2018/ 348

Moved by: D. Anderson

THAT Bylaw 31-2018, a bylaw that establishes the Youth Advisory Committee, be given first reading as amended.

In Favour (6): R. Frank, D. Anderson, B. Tonita, P. Smith, L. Delainey, and K. Berghofer
Opposed (2): R. Parks, and B. Botterill

Carried

2018/ 349

Moved by: K. Berghofer

THAT Bylaw 31-2018 be given second reading.

In Favour (6): R. Frank, D. Anderson, B. Tonita, P. Smith, L. Delainey, and K. Berghofer
Opposed (2): R. Parks, and B. Botterill

Carried

2018/ 350

Moved by: P. Smith

THAT Bylaw 31-2018 be considered for third reading.

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, and K. Berghofer

Carried

2018/ 351

Moved by: B. Tonita

THAT Bylaw 31-2018 be given third reading.

In Favour (6): R. Frank, D. Anderson, B. Tonita, P. Smith, L. Delainey, and K. Berghofer

Opposed (2): R. Parks and B. Botterill

Carried

2018/ 352

Moved by: B. Botterill

THAT the mandate letters for the Accessibility and Youth Advisory Committees, as set out in Enclosure 4 of the September 25, 2018 Legislative and Legal Services Council report, be referred to Administration to work with the Governance Advisory Committee and the Priorities Committee and report by end of Q1 2019 with advice on how Council could enhance the mandates, including through comparisons with the mandate of other municipalities' similar committees and input from Council's strategic planning process.

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, and K. Berghofer

Carried

ACTION: Legislative and Legal Services

DUE: end of Q1 2019

10. PUBLIC HEARING

10.1 Bylaws 33-2018 and 34-2018 Road Closure (Ward 7)

The Clerk of Legislative and Legal Services outlined the Public Hearing Procedures.

The Mayor convened the Public Hearing for Bylaws 33-2018 and 34-2018 at 5:02 p.m.

Administration made a presentation on the bylaws.

Administration then answered Council's questions.

There were no speakers.

The Mayor closed the Public Hearing for Bylaws 33-2018 and 34-2018 at 5:09 p.m.

Administration answered Council's questions.

2018/ 353

Moved by: P. Smith

THAT Bylaw 33-2018, a bylaw that closes a portion of Road Plan 1949TR be given first reading.

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, and K. Berghofer

Carried

2018/ 354

Moved by: L. Delainey

THAT Bylaw 33-2018 be given second reading.

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, and K. Berghofer

Carried

2018/ 355

Moved by: R. Parks

THAT Bylaw 33-2018 be considered for third reading.

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, and K. Berghofer

Carried

2018/ 356

Moved by: B. Botterill

THAT Bylaw 33-2018 be given third reading.

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, and K. Berghofer

Carried

2018/ 357

Moved by: L. Delainey

THAT Bylaw 34-2018, a bylaw that closes a portion of Road Plan 1949TR be given first reading.

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, and K. Berghofer

Carried

2018/ 358

Moved by: B. Botterill

THAT Bylaw 34-2018 be given second reading.

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, and K. Berghofer

Carried

2018/ 359

Moved by: L. Delainey

THAT Bylaw 34-2018 be considered for third reading.

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, and K. Berghofer

Carried

2018/ 360

Moved by: D. Anderson

THAT Bylaw 34-2018 be given third reading.

In Favour (8): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, and K. Berghofer

Carried

G. Lawrence joined the meeting at 6:07 pm.

9.1 Train Whistle Cessation Fall 2018

2018/ 361

Moved by: B. Tonita

THAT the cessation of railway whistling at the crossing at CN Mile 255.97 Range Road 231 be approved.

In Favour (9): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, G. Lawrence, and K. Berghofer

Carried

9.2 2018 Meeting Dates - Additional Budget Review Dates

2018/ 362

Moved by: B. Tonita

THAT the 2018 Meeting Dates - Additional Budget Review Dates report be referred back to Administration to find four additional Council budget meeting days not including October 26, 2018, and report back to the October 16, 2018 Council meeting.

In Favour (9): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, G. Lawrence, and K. Berghofer

Carried

9.4 Strathcona County Regional Context Statement

2018/ 363

Moved by: R. Parks

THAT the Strathcona County Regional Context Statement, as outlined in Enclosure 1 to the September 25, 2018 Planning and Development Services council report, be approved.

In Favour (9): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, G. Lawrence, and K. Berghofer

Carried

9.5 Bylaw 26-2018 map amendment to Land Use Bylaw 6-2015 third reading (Ward 6)

2018/ 364

Moved by: L. Delainey

THAT Bylaw 26-2018, a bylaw that proposes to rezone approximately 61.65 hectares (152.33 acres) in the SW 25-51-23-W4 from AG – Agriculture: General to RA – Rural Residential/Agriculture, be given third reading.

In Favour (6): D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, and G. Lawrence
Abstain (3): R. Frank, R. Parks and K. Berghofer

Carried

9.6 Extension Request – Strathcona Community Investment Program

2018/ 365

Moved by: L. Delainey

THAT an extension to June 2019 for the expenditure of Strathcona Community Investment Program funds issued on September 12, 2017 to the Colchester Community League in the amount of \$10,900 be approved.

In Favour (9): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, G. Lawrence, and K. Berghofer

Carried

8. COUNCIL PRIORITIES

8.5 Bylaw 18-2018 Smoking Bylaw

Motion on the Floor

2018/ 192

Moved by: P. Smith

THAT Bylaw 18-2018 be given second reading.

Councillor Smith withdrew the motion on the floor with consent of Council.

2018/ 366**Moved by:** P. Smith

THAT the Smoking Bylaw be amended to change the number from "18-2018" to "40-2018"; and that section 5(e) be amended by adding the words "except as varied by this bylaw" after the words "an enactment", and section 6(h) be deleted and replaced with the words "a doorway, window, or air intake of a public place or workplace."

In Favour (9): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, P. Smith, L. Delainey, G. Lawrence, and K. Berghofer

Carried**2018/ 367****Moved by:** K. Berghofer

THAT section 5(b) of Bylaw 40-2018 be deleted and replaced with the following:

b. an outdoor recreation area that does not contain:

- (i) a playground;
- (ii) a spray park;
- (iii) a sports field;
- (iv) a swimming pool;
- (v) a skating rink, even if it is temporarily designated as a dog off leash area; or
- (vi) a skateboard or bicycle park.

And sections 6(a)-(f) be deleted and the following sections be renumbered accordingly.

In Favour (3): L. Delainey, G. Lawrence, and K. Berghofer

Opposed (6): R. Frank, R. Parks, D. Anderson, B. Botterill, B. Tonita, and P. Smith

Defeated**2018/ 368****Moved by:** R. Frank

THAT Bylaw 40-2018 be amended by deleting subsection 5 a. and renumbering the following subsections accordingly.

In Favour (5): R. Frank, R. Parks, L. Delainey, G. Lawrence, and K. Berghofer

Opposed (4): D. Anderson, B. Botterill, B. Tonita, and P. Smith

Carried

2018/ 369

Moved by: K. Berghofer

THAT Bylaw 40-2018 be given second reading, as amended.

In Favour (4): R. Frank, L. Delainey, G. Lawrence, and K. Berghofer

Opposed (5): R. Parks, D. Anderson, B. Botterill, B. Tonita, and P. Smith

Defeated

G. Lawrence left the meeting at 8:57 pm

11. COUNCILLOR REQUESTS (INFORMATION REQUESTS AND NOTICES OF MOTION)

11.1 Councillor Request Report

Ward/ Councillor	Category	Request	Department	Due Date
6 L. Delainey NM-026	Notice of Motion	Councillor Delainey SERVED the following Notice of motion to be presented for debate and vote at the October 30, 2018 Council Meeting: THAT motion number 2018/ 305, passed by Council on July 17, 2018 be amended as follows: By replacing the first paragraph of that motion with the following: <ul style="list-style-type: none">• "That Administration provide a report on the progress to date on the detailed design for construction of a rail overpass at RR 231 and the CN Track Crossing in the North of Yellowhead area, such report to outline the history of the matter to date, provide planned timelines for going forward with the project, and include an updated estimate of costs, along with an identified potential interim funding source by the second Council meeting of 2019; and"	ACTION: Office of the Elected Officials	DUE: October 30, 2018
4 B. Tonita NM-027	Notice of Motion	Councillor Tonita SERVED the following Notice of motion to be presented for debate and vote at the October 16, 2018 Council Meeting: THAT Administration prepare a report by the end of Q1 2019, on the feasibility of lowering the voting age from 18 to 16 for the next municipal election in Strathcona County.	ACTION: Office of the Elected Officials	DUE: October 16, 2018

12. ADJOURNMENT

Mayor Frank declared the meeting adjourned at 9:01 p.m.

Mayor

Director, Legislative & Legal Services