TOWN OF SMOKY LAKE **REGULAR COUNCIL MEETING TOWN COUNCIL CHAMBERS** October 15, 2019 5:00 p.m.

PRESENT:

Hank Holowaychuk

Mayor

Daniel Kotylak

Councillor

Terry Makowichuk

Councillor - arrived at 6:35 p.m.

Ross Whitelaw

Councillor

STAFF IN

ATTENDANCE:

Adam Kozakiewicz

Chief Administrative Officer

Crystal Letwin

Finance Assistant / Legislative Services

Billy McMullen

Public Works Foreman

Marianne Prockiw-Zarusky

FCSS Coordinator

REGRETS:

Melody Morton

Deputy Mayor

1. CALL TO ORDER

Mayor Holowaychuk called the October 15, 2019 Regular Town Council Meeting to order at 5:01 p.m.

2. APPROVAL OF THE AGENDA

MOTION: 697-19

MOVED by Councillor Whitelaw to approve the October 15, 2019 Regular

Town Council Meeting Agenda as presented.

CARRIED

3. ADOPTION OF PREVIOUS MINUTES

3.1 October 1, 2019 Regular Council Meeting

MOTION: 698-19

MOVED by Councillor Kotylak to adopt the Minutes of the October 1, 2019

Regular Council Meeting as presented.

CARRIED

4. DELEGATIONS

4.1 Alberta Transportation - Michael Botros, Regional Director and Dean Litke, Infrastructure Manager

MOTION: 699-19

MOVED by Councillor Kotylak that the oral report given by Alberta Transportation Regional Director, Michael Botros, and Infrastructure Manager, Dean Litke regarding issues brought forward by Town Council such as the Highway 36 Truck Stop Washrooms being closed during the Smoky Lake

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CAO Initials

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Pumpkin Fair and Weigh off on October 5, 2019 and Emcon's maintenance schedule regarding street sweeping and grass cutting, be accepted for information.

CARRIED

4.2 Tom Mykytiuk – Reguest to Display Pages from the Book of Remembrance in Ottawa

Tom Mykytiuk was unable to present due to time constraints and had to leave the meeting.

4.3 Ed Shepel from Spectre System – Update on Paving projects

MOTION: 700-19

MOVED by Councillor Kotylak that the oral report given by Ed Shepel from Spectre System regarding an update on approved paving projects not completed in the Town of Smoky Lake and explained that due to weather conditions the paving projects will be postponed till Spring 2020 with a guarantee that costs will remain as quoted (no increase) unless there is an extreme increase in the cost of oil, be accepted for information.

CARRIED

4.4 Sam Eaton and David Dixon - Smoky Transit Corp.

MOTION: 701-19 MOVED by Councillor Makowichuk to go into Closed Session at 6:47 p.m. (FOIP

s. 16)

CARRIED

MOTION: 702-19 MOVED by Councillor Whitelaw to come out of Closed Session at 7:28 p.m.

CARRIED

MOTION: 703-19 MOVED by Councillor Makowichuk that the oral report given by Sam Eaton

and David Dixon regarding Smoky Transit Corp. tax and utility issues, be

accepted for information as presented in Closed Session.

CARRIED

5. QUESTION PERIOD

No questions from the public were brought forward at the meeting.

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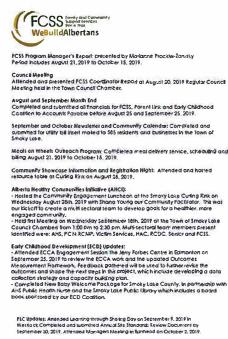
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6. FCSS

6.1 FCSS Coordinator's Report

MOTION: 704-19

MOVED by Councillor Kotylak that the oral and written report given by FCSS Coordinator, Marianne Prockiw-Zarusky be accepted for information.





CARRIED

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7. PUBLIC WORKS

7.1 Public Works Foreman's Report

Public Works Report Oct 1*-Oct 15th 2019

- Removed trees from tower compound by water reservoir
- Added cold mix to uneven bricks along white earth street sidewalk[trip hazards]
- Removed water meter at RV Sani-dump[locked off hydrant]
- Picked up sander and had it installed
- Cut grass[high traffic areas during pumpkin fair]

Set up for the upcoming 31st Annual Pumpkin Fair

Set up stage[county helped], placed bleachers[helped county], installed signage throughout town, set up the inflatable pumpkin, installed temporary rope barricades in front of complex, at the pumpkin drop, the school track, broughtgarbage's/recycling[placed them at kins gazebo, around spray park, parking lot of complex where picnic tables were placed, set tents up for petting zoo, fire lane in front of complex, hung curtain next to stage, brought pumpkin merchandise to complex, changed flags at complex, brought tv, small scale to complex, brought pa system from CN station, flag person ahead signs to fire hall, set up shuttle bus driving lane at pumpkin park[with barrkades], gathered all remaining barricades for show and shine, helped county set chairs up inside complex, set up tw picnic tables for show shine behind town office, brought two garbage's for rural crime watch, removed plywood for speed reduction signage along highway. flushed sewers at Kins gazebo, behind complex [preventative maintenance], land leveled alleys along show and shine route, added toilet paper to outhouses at Kinpark, along with CN station, brought red fire truck to main shop for show and shine [cleaned front windows and front bumper

MOTION: 705-19

MOVED by Councillor Makowichuk that the oral and written report presented by Public Works Foreman, McMullen be accepted for information.

CARRIED

7.2 ATCO Tree Removal Program in the Town of Smoky Lake

MOTION: 706-19

MOVED by Councillor Makowichuk that Town of Smoky Lake acknowledge the email dated October 15, 2019 from ATCO Forestry Coordinator, Olivia Jackson regarding brushing questions and concerns in the Town of Smoky Lake; and Administration extend an invitation to Olivia Jackson to present at a future Council meeting to discuss the tree removal/trimming program in the Town of Smoky Lake.

CARRIED

Mayor Holowaychuk called a recess at 8:08 p.m. and reconvened at 8:18 p.m.

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8. NATURAL GAS

8.1 Inactive Well Compliance Program Correspondence

MOTION: 707-19

MOVED by Mayor Holowaychuk that the letter dated September 10, 2019 from Alberta Energy Regulator Manager Decommissioning & Abandonment Closure & Liability, Paul Aguas regarding the Inactive Well Compliance Program – IWCP Annual Target Quota Year 4 (2018/19) Imposition of Terms and Conditions – Compliance Achieved Section 3.020 of the Oil and Gas Conservation Rules, Directive 013: Suspension Requirements for Wells, and Section 22 of the Oil and Gas Conservation Act -Inactive Well Compliance Program (IWCP), IWCP wells identified at Year 4: 2 well(s), IWCP noncompliant wells identified at Year 4: 0 well(s), be accepted for information.

CARRIED

MOTION: 708-19

MOVED by Councillor Makowichuk that the letter dated September 10, 2019 from Alberta Energy Regulator Manager Decommissioning & Abandonment Closure & Liability, Paul Aguas regarding Imposition of Terms and Conditions Section 3.020 of the Oil and Gas Conservation Rules, Directive 013: Suspension Requirements for Wells, and Section 22 of the Oil and Gas Conservation Act - Inactive Well Compliance Program (IWCP), IWCP well(s) identified at Year 5: 2 well(s), IWCP noncompliant well(s) identified at Year 5: 0 well(s), IWCP Annual Target Quota Year 5: 0 well(s), be accepted for information.

CARRIED

8.2 Federation of Alberta Gas Co-ops Ltd. 2019 Convention & Trade Fair

MOTION: 709-19

MOVED by Councillor Makowichuk that the Federation of Alberta Gas Co-ops Ltd. 2019 Convention & Trade Fair held on November 24 – 28, 2019 in Edmonton, AB. be attended by Mayor Holowaychuk, Councillor Kotylak and Councillor Whitelaw.

CARRIED

9. ADMINISTRATION

9.1 Chief Administrative Officer's Report

Item 9.1 was not discussed at the meeting.

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9.2 Beaver Creek Cooperative Association Ltd. Agreement

MOTION: 710-19

MOVED by Councillor Makowichuk that the Town of Smoky Lake execute the Agreement for Sale Requiring Development and Option to Purchase between the Town of Smoky Lake and Beaver Creek Cooperative Association Ltd. for Legal Description - Part of 0624974, Block 7, Lot 22; SE-21-59-17-4 in the amount of \$120,000.00, plus GST applicable that includes:

• Schedule "A" (Sketch of the Lands, Lot C)



- Schedule "B" (Purchaser Conditions) Notwithstanding any term or condition in the Agreement, the sale of the Lands by the Town of Smoky to the Purchaser is expressly subject to and conditional upon satisfaction or waiver by the Purchaser of the following on or before December 31, 2019:
 - 1. The Purchaser's satisfaction with the results of any inspection or testing regarding the environmental status (ESA Phase I / II study), condition of the Lands (geotechnical / soils survey), zoning, title matters, location and capacity of existing services, permitted encumbrances and registrations against the title and the physical status of the Lands.,
- Schedule "C" (Municipality's Conditions Precedent) Obtaining subdivision approval to create a title for the Lands on or before December 31, 2019. If the subdivision approval is granted but an appeal is made regarding that approval, this Condition Date shall be extended by the amount of time necessary to obtain a final decision on the subdivision. If that Condition Date is extended, the Closing Date shall be extended by a similar number of days. All costs associated with obtaining such subdivision shall be at the cost of the Town of Smoky Lake.,

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- Schedule "D" (Option to Reacquire) The Optionee wishes to acquire an option to reacquire the Lands from the Grantor, to be exercised only in the event such developments do not proceed in a timely manner, and the Grantor has agreed to grant to the Optionee an option to purchase the Lands pursuant to the terms, provisions and conditions set forth herein;
 - o the Municipality shall have the option to reacquire the Lands, free and clear of all encumbrances except those registered on title at the time of transfer of the Lands to the Purchaser by the Municipality, for the sum of \$96,000.00, subject to adjustments and in accordance with the Option to Reacquire Agreement attached hereto as Schedule "D".
- Schedule "1" (Legal Description),
- Schedule "2" (Permitted Encumbrances None),
- Schedule "3" (Terms and Conditions of Reacquisition Agreement).

CARRIED

9.3 Christmas Basket and Angel Tree Program

MOTION: 711-19

MOVED by Mayor Holowaychuk that the Town of Smoky Lake allow the Kinette Club of Smoky Lake to use the Town Council Chambers located at 56 Wheatland Ave in Smoky Lake, AB. on December 19 – 21, 2019 for the purpose of the Angel Tree Program and Christmas Hampers.

CARRIED

10. HEALTH AND PROTECTIVE SERVICES

10.1 Town of Smoky Lake Fire Chief's Report

MOTION: 712-19

MOVED by Councillor Makowichuk that the oral and written report for September 2019 given by Town of Smoky Lake Fire Chief, Juanita Cozicar, be accepted for information.

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September 2019 FIRE CHIEF REPORT

Department Calls:

O-Fire Calls

2-Motor Vehicle Collision

O- Medical Assist

1-Fire Alarm

3- Calls total for September 59-TOTAL for the year

Training

September 9- Unit Checks and SCBA (9 members) \$337.50

September 23- Building Construction Introduction (10 members) \$375.00

September 17- ordering on Disaster (1 member) \$240.00

September 28- Regional Fire Chief meeting (2 members) \$480.00

Total Cost for Training for September \$1,432.50 TOTAL COST FOR THE YEAR \$15,392.00

Other:

Nothing to report at this time

Equipments

- Informed there is an issue with the Tires on 459 (New ones are installed)
- Door handle on until 445 was fixed again
- + Ambulance was purchased by both Town and County Councils from Vegreville

Hall:

- Lighting on the outside of the building (addressed By Public works) Previous
- Water leaks in the building still from previous

Upcoming:

- October 5- Great White North Pumpkin Fair
- October 14- Thanksgiving
- October 15- Regular practice night
- October 7-14 Fire Prevention Week
- October 28- Regular Practice night

CARRIED

10.2 2020 Emergency Management Stakeholder Summit - Save the Date

MOTION: 713-19

MOVED by Mayor Holowaychuk that the 2020 Emergency Management Stakeholder Summit held on February 19 & 20, 2020 at the NAIT's Productivity and Innovation Centre in Edmonton, AB., be a Council approved event along with CAO, Kozakiewicz to attend.

CARRIED

11. RECREATION AND CULTURE

No items were discussed at the meeting.

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12. ECONOMIC DEVELOPMENT

12.1 Ukrainian Twinning Initiative: Memorandum of Understanding

MOTION: 714-19

MOVED by Mayor Holowaychuk that the Town of Smoky Lake, as a municipality in partnership of the Regional Community Development Committee (RCDC) approve to execute a Memorandum of Understanding on Cooperation in a English version and Ukrainian version with both versions having equal standing between Kosiv District, Ivano-Frankivska Oblast, Ukraine and the Smoky Lake Region representing the regional municipalities: Smoky Lake County, Town of Smoky Lake, Village of Vilna and Village of Waskatenau for a period of five (5) years term to pursue the Ukrainian Twinning Initiative, subject to all regional partners of RCDC participate in the Initiative.

CARRIED

12.2 Regional Community Development Committee – Town of Smoky Lake Public Member-at-Large

MOTION: 715-19

MOVED by Councillor Kotylak that the Town of Smoky Lake accept the sole application submitted by Marianne Prockiw-Zarusky and re-appoint her as the Town of Smoky Lake's Public Member-at-Large for the Regional Community Development Committee (RCDC) for a two-year term as per the Regional Community Development Committee Bylaw 1299-17.

CARRIED

MOTION: 716-19

MOVED by Councillor Kotylak that a recess be called at 6:04 p.m. to conduct the Public Hearing for Bylaw 012-19: to amend Land Use Bylaw 007-18 for the purpose of Direct Control.

CARRIED

13. LANDS, PLANNING AND DEVELOPMENT

13.1 (6:00 P.M.) PUBLIC HEARING for the purpose of Bylaw 012-19: to amend Land Use Bylaw 007-18 for the purpose of Direct Control

1.0 Opening

The Public Hearing was called to order at 6:04 p.m. by Mayor Holowaychuk in the presence of Council members, Chief Administrative Officer (CAO), Finance Assistant / Legislative Services, and one member of the public. The purpose of this hearing is for the Town of Smoky Lake to obtain public input, in favour and opposed to proposed Bylaw No. 012-19: to amend the Land Use Bylaw No. 007-18.

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Town of Smoky Lake October 15, 2019 - Regular Council Meeting Minutes There was one member of the public on the sign-in sheet.

The CAO confirmed the Public Hearing "Notice" for Bylaw No. 012-19: Public Notification was advertised in the Smoky Lake Signal during the weeks of September 24, 2019 and October 1, 2019. The deadline to receive public written submissions was 4:00 p.m. – Friday, October 11, 2019.

TOWN OF SMOKY LAKE NOTICE OF PUBLIC HEARING

Pursuant to Section 606 of the Municipal Government Act, Chapter M-26, RSA 2000 and amendments thereto, notice is hereby given sdvising of a Public Hearing, to be held on October 15, 2019 commencing at 6:000 p.m. In the Town of Smoky Lake Council Chambers located at 56 Wheatland Ave, Smoky Lake, Alberta.

The purpose of the hearing is to provide the public with the opportunity to comment on proposed Bylaw No.012-19 being a bylaw to amend Land Use Bylaw 007-18.

The amendment is to redistrict Pt. Lot 14, Block 1 Plan 1823408 to Direct Control (DC) District



A copy of the proposed Byfaw No. 012-19 may be reviewed at the Town of Smoky Lake Administration Office, located at 56 Wheatland Ave, during normal business hours from Monday to Friday. The public may provide written comments to the Town of Smoky Lake Chief Administrative Officer Adam Kozakiev/cc, at 56 Wheatland Ave, until 6:00 pm on or before October 11. 2019 or may be in attendance to make commentat the Public Hearing.

To obtain more information regarding the proposed Bylaw, please contact: Adam Kozakiewsz, (CAO), Town of Smoky Lake - (\$80) 656-3674

2.0 Staff Presentation:

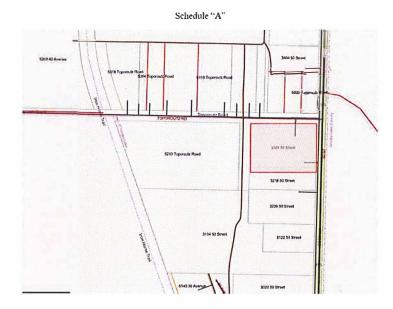
CAO Kozakiewicz reported that the purpose of this hearing is for the Town of Smoky Lake to obtain public input, in favour and opposed to proposed Bylaw No. 012-19: to amend the Land Use Bylaw No. 007-18. Town of Smoky Lake wishes to amend the following:

The Land Use District Map, is hereby amended by classifying the following lands, which are currently classified R1 - RESIDENTIAL LOW DENSITY DISTRICT to the DC - DIRECT CONTROL DISTRICT

a. Lot 14 Block 1 Plan 1823408

The area to be classified Residential – DC - DIRECT CONTROL DISTRICT is shown on Schedule "A" of this Bylaw.

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3.0 Public Presentations via Written Submissions CAO, Kozakiewicz reported there were no written submissions received.

4.0 Public
Presentation at the
Public Hearing

There was one member of the public signed in on the sign-in sheet in opposition of proposed Bylaw 012-19.

Opposed:

Member of the General Public, Shannon Melnychuk, Town of Smoky Lake Taxpayer:

- > Not so much opposed but would like clarification of the building.
- ➤ I was told it wasn't an ordinary 2 door car garage but more of a shop with walls taller than 14 feet.
- ➤ I wasn't informed of the last one that was approved, and a machine shop was built and now again it's the same thing.
- Unclear if this is light industrial or a personal small business.
- ➤ I did not notice any demolition permits for the building nor the driveway put in.
- ➤ How will this affect the adjacent property owners?

Mayor Holowaychuk commented: We want to encourage investment in our community. Council is trying to find a fair way to allow and encourage development to upgrade that area. We are not picking and choosing, we are trying to accommodate based on changing needs in rural Alberta.

CAO Adam Kozakiewicz clarified that Direct Control gives Council the control and

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final say on each application with the intention to better the owner and community.

5.0 Questions and Answers

There were no questions asked.

6.0 Closing Remarks

Mayor Holowaychuk declared the Public Hearing closed at 6:32 p.m.

Councillor Makowichuk arrived at the meeting at 6:35 p.m.

Mayor Holowaychuk reconvened the Regular Council Meeting at 6:46 p.m.

13.2 Bylaw 012-19 Land Use Bylaw Amendment

The Land Use District Map, is hereby amended by classifying the following lands, which are currently classified R1 - RESIDENTIAL LOW DENSITY DISTRICT to the DC - DIRECT CONTROL DISTRICT

a. Lot 14 Block 1 Plan 1823408

The area to be classified Residential – DC - DIRECT CONTROL DISTRICT is shown on Schedule "A" of this Bylaw.

MOTION: 717-19

MOVED by Councillor Whitelaw that Bylaw 012-19, being a Town of Smoky Lake Bylaw amendment to Land Use Bylaw 007-18 to include Lot 14, Block 1, Plan 1823408 be classified R1 – Residential Low Density District to the Direct Control District, be given second reading.

CARRIED

MOTION: 718-19

MOVED by Mayor Holowaychuk that Bylaw 012-19, being a Town of Smoky Lake Bylaw amendment to Land Use Bylaw 007-18 to include Lot 14, Block 1, Plan 1823408 be classified R1 – Residential Low-Density District to the Direct Control District, be given third and final reading.

CARRIED

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13.3 Eagle River Planning Services – Gateway Outline Plan (Sept. 14, 2019)

MOTION: 719-19

MOVED by Mayor Holowaychuk that the Town of Smoky Lake's Gateway Outline Plan regarding subdivision and development of Lot 22, Block 7, Plan 062-4974 prepared by Eagle River Planning Services be tabled to a future Regular Council Meeting.

CARRIED

14. CORRESPONDENCE

14.1 File for information items:

MOTION: 720-19

MOVED by Councillor Makowichuk that the following items be filed for information:

- a) Smoky Lake Chamber of Commerce: September 2019 Newsletter
- b) Highway 28/63 Regional Water Services Commission Minutes/Action List, Agenda, Financial Report and 2019 Budget to Actual
- c) Alberta Municipal Affairs: Municipal Indicators for Town of Smoky Lake
- d) Smoky Lake Region: Sept 17, 2019 Intermunicipal Collaboration Framework (ICF) Minutes and Action List

CARRIED

14.2 Aspen View Public Schools re: Proposed Cost Estimates to Replace H.A Kostash School

MOTION: 721-19

MOVED by Councillor Kotylak that the Town of Smoky Lake acknowledge the letter dated October 8, 2019 from Aspen View Public Schools Superintendent of Schools, Neil O'Shea regarding the Town of Smoky Lake's interest in possibly increasing the foot print of the schools to include spaces for community use and future partnerships and the report that contained the following estimated cost per square meter; and Administration forward to a future Town Budget Meeting.

- •\$2568.37/m2 for construction
- •\$3,000/m2 for modular units
- •Total construction cost \$4570.93/m2 (includes design/site development)
- •□ \$5,012.94/m2 total construction including allowances (\$465.71/sf)

CARRIED

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CAO Initials

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14.3 Rural Municipalities of Alberta Fall 2019 Convention

MOTION: 722-19

MOVED by Councillor Whitelaw that the Rural Municipalities of Alberta (RMA) Fall 2019 Convention held on November 12 – 15, 2019 at the Edmonton Convention Centre in Edmonton, AB. be a Council approved event.

CARRIED

14.4 Painting Alberta Project re: Request for Pictures

MOTION: 723-19

MOVED by Mayor Holowaychuk that the Town of Smoky Lake acknowledge the email dated September 25, 2019 from Visual Artist, Sabine Lecorre - Moore from Calgary, AB. regarding a "Painting Alberta Project"; and Administration forward Sabine Lecorre-Moore pictures of the Town of Smoky Lake.

CARRIED

14.5 Municipal Corporate Planning and Finance Course

MOTION: 724-19

MOVED by Mayor Holowaychuk that the Municipal Corporate Planning and Finance Session held on October 16, 2019 at the Rural Municipal of Alberta (RMA) Offices in Nisku AB., be attended by Councillor Whitelaw or alternate.

CARRIED

14.6 Smoky Lake Golf Club re: Golf Cart Advertising

MOTION: 725-19

MOVED by Mayor Holowaychuk that the letter from Smoky Lake Golf Club Communications Manager, Sasha Henry regarding the opportunity to advertise the Town of Smoky Lake's logo on a golf cart in the amount of \$210.00 per year; be filed for information.

CARRIED

14.7 Smoky Lake Public Library re: Hot Water Heater Replacement Reguest (Town pay 50% of costs)

MOTION: 726-19

MOVED by Councillor Makowichuk that the Town of Smoky Lake acknowledge the letter dated October 10, 2019 from Smoky Lake Public Library, Melody Kaban regarding the request that the Town of Smoky Lake and Smoky Lake County each pay half of the hot water heater replacement in the total amount of \$1,052.30; and the Town of Smoky Lake contribute half of the cost to replace the hot water heater in the amount of \$526.15; and be allocated from the 2019 Operating Budget entitled "Building Repair and Maintenance".

CARRIED

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15. EXECUTIVE SESSION (Closed Session)

MOTION: 727-19

MOVED by Councillor Makowichuk to go into Closed Session to discuss the following matter at 8:40 p.m.:

• Land Use Planning / Cannabis (FOIP s. 24)

CARRIED

MOTION: 728-19

MOVED by Councillor Kotylak to come out of Closed Session at 8:50 p.m.

CARRIED

16. BUSINESS FROM EXECUTIVE SESSION (Out of Closed Session)

No motions were made in Closed Session.

17. ADJOURNMENT

MOTION: 729-19

MOVED by Councillor Makowichuk to adjourn the meeting at 9:03 p.m.

CARRIED

Hank Holowaychuk

Mayor

Adam Kozakiewicz

Chief Administrative Officer

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