

Minutes of the Town of Olds Regular and Closed Council meeting held on Monday, August 23, 2021 at 1:00 p.m. in the Council Chambers, at the Municipal Office at 4512 – 46 Street in Olds, with the public body present at meeting location.

PRESENT – ELECTED OFFICIALS:

In the Chair, Deputy Mayor Mary Jane Harper

PRESENT – ELECTED OFFICIALS:

Councillor Debbie Bennett, Councillor Wanda Blatz, Councillor Mary Jane Harper, Councillor Mary Anne Overwater, Councillor Heather Ryan and Councillor Mitch Thomson

Participating virtually: Mayor Michael Muzychka

ABSENT– ELECTED OFFICIALS:

STAFF PRESENT for the Regular meeting of Council

Michael Merritt, Chief Administrative Officer; Doug Wagstaff, Director of Community Services; Sheena Linderman, Director of Finance; Justin Andrew, Director of Protective Services, Shaun Fox, Human Resources Advisor, and Marcie McKinnon, Legislative Clerk

Participating virtually: Monica Leatherdale, Communications Coordinator

Invited Guest: Mr. Michael Solowan, Brownlee LLP Representative

1. CALL TO ORDER

Deputy Mayor Harper called the meeting to order at 12:59 p.m.

A.) ADDED ITEM(s)

None

B.) ADOPTION OF THE AGENDA

Moved by Councillor Blatz, “to accept the Regular Council meeting agenda for the Monday, August 23, 2021 at 1 PM, as presented.”

Motion Carried 21-324

2. ADOPTION OF PREVIOUS MINUTES

2A) Regular Council Meeting Minutes – July 12, 2021

Moved by Councillor Thomson, “that the regular Council meeting minutes from July 12, 2021, 1 p.m. be adopted, as presented.”

Motion Carried 21-325

Special Closed Council Meeting Minutes – July 20, 2021

Moved by Councillor Bennett, “that the Special Closed Council Meeting Minutes – July 20, 2021, 1 p.m. be adopted, as presented.”

Motion Carried 21-326

Special Closed Council Meeting Minutes – July 26, 2021 at 10 AM

Moved by Councillor Ryan, “that the Special Closed Council Meeting Minutes – July 26, 2021 at 10 a.m., be adopted, as presented.”

Motion Carried 21-327

Special Council Meeting Minutes – July 26, 2021 at 1 PM

Moved by Councillor Overwater, “that the Special Council Meeting Minutes – July 26, 2021 at 1 p.m. , be adopted, as amended.” (Error on page 16 of agenda, 2nd paragraph change ‘01’ to ‘01’.)

Motion Carried 21-328

Special Closed Council Meeting Minutes – August 11, 2021

Moved by Councillor Thomson, "that the Special Closed Council Meeting Minutes – August 11, 2021, be adopted, as presented."
Motion Carried 21-329

3. PRESENTATION AND DELEGATIONS

3A) Bylaw 2021-13 Council Code of Conduct Bylaw

CAO Merritt spoke to the process the Council Code of Conduct Bylaw has taken to get before Council and that it had been reviewed by our legal advisors. Mr. Michael Solowan, Brownlee LLP Representative was present at the meeting.

Moved by Councillor Ryan, "that Bylaw 2021-13 Council Code of Conduct, be given first reading, as presented."

Council discussion ensued.

Moved by Councillor Overwater, "that point 14.1(a) be amended from 90 days to 60 days."
Motion Carried 21-330

Councillor Ryan agreed to a friendly amendment to her motion on the floor, to be "as amended instead of as presented".

Council voted on first reading as amended.
Motion carried 21-331

Moved by Councillor Blatz, "that Bylaw 2021-13 Council Code of Conduct, be given second reading, as amended."
Motion Carried 21-332

Moved by Councillor Overwater, "that Council give unanimous consent for third reading of Bylaw 2021-13 Council Code of Conduct, as amended."
Motion Carried 21-333

Moved by Councillor Thomson, "that Bylaw 2021-13 Council Code of Conduct, be given third and final reading, as amended."
Motion Carried 21-334

3B) Council Policy 107C Elected Official Appointments Council Policy 113C Public at Large Appointments Administrative Procedures 113P Public at Large Appointments

Mrs. Kelly Lloyd, Town of Olds Coordinator of Strategic Affairs was participating virtually and present the council policies and supporting procedure on policies that were amended to be in alignment with the Council Code of Conduct Bylaw.

Moved by Councillor Bennett, "that Council Policy 107C Elected Official Appointments and Council Policy 113C Public at Large Appointments be approved, as presented."

Council discussion ensued.

Moved by Councillor Ryan, "that point 2.1 on policy 107C be amended as follows:
- shall not avoid making motions"
Motion Carried 21-335

Councillor Bennett agreed to a friendly amendment to her motion on the floor, to be “as amended instead of as presented”.

Council voted on the motion on the floor –changing ‘as presented’ to ‘as amended’.
Motion carried 21-336

3C) Chief Administrative Officer’s Report on the SPENCE Petition

CAO Merritt spoke to the petition received at the July 26, 2021 public hearing. Indicating that as per the Municipal Government Act the petition must be reviewed for sufficiency and then reported on accordingly. The CAO then provided that report to Council to fulfill our legislative requirements.

Moved by Councillor Overwater, “that the Chief Administrative Officer’s Report - Declaration on Sufficiency of Petition to Delay Olds Institute Asset Disposal, (the SPENCE Petition) be received as information.”

Council discussion ensued.

Mr. Solowan provided clarity on population and the legislative requirements for a petition to be sufficient.

Council voted on the motion on the floor.
Motion Carried 21-337

Deputy Mayor Harper recessed the meeting at 1:36 p.m.

Mr. Michael Solowan, Brownlee LLP Representative left the meeting during the recess.

Deputy Mayor Harper reconvened the meeting at 1:41 p.m.

4. BUSINESS ARISING OUT OF MINUTES / UNFINISHED BUSINESS

5. BYLAWS

Participating virtually: Scott Purich and Craig Teal from Parkland Community Planning Services

5A) Bylaw 2021-10 Land Use Bylaw

A public hearing was held for Bylaw 2021-10 Land Use Bylaw.

Deputy Mayor Harper explained that Section 172 of the *MGA* says that you may not take part in the discussion and decision-making on any matter in which you have a pecuniary interest. The legislation attempts to ensure that you are not discriminated either for or against by virtue of your membership on council. If you have a pecuniary interest:

- You are to disclose that you have an interest and its general nature.
- You are to abstain from any discussion of the matter and from voting.
- You are to leave the room until the matter has been dealt with and you should make sure that your abstention is recorded in the minutes.

You are not to be discriminated against and are entitled to participate in a public hearing as a member of the public.

Deputy Mayor Harper declared the public hearing for **Bylaw No. 2021-10, open at 1:43 p.m.**

Deputy Mayor Harper explained that presentations before Council shall be brief and to the point and limited to five (5) minutes; Council shall not allow cross examination of persons giving information and it will not be necessary for the persons giving information to verify his or her qualifications; Council may ask questions of the speakers after each presentation for clarification purposes; no debating or questions from the floor will be allowed and no written or verbal submissions will be received by Council after the Public Hearing is closed. Persons addressing Council will: state their name and address. Indicate if they are speaking on their own behalf or for a client, company or citizens group.

Deputy Mayor Harper then asked Mr. Scott Purich, Parkland Community Planning Services, to explain the purpose and effect of the proposed bylaw.

Mr. Purich gave presentation on information as contained in the agenda package.

Deputy Mayor Harper opened the floor to Council for comments or questions.

Discussion ensued on:

Environmental concerns

Fencing – height and fencing materials

Zoning

Fire suppression

Deputy Mayor Harper called for all those **in support** of the proposed Bylaw to come forward.

Mr. Allan Hickok, of Olds, Owner of Diamond Head Properties came forward and spoke in favor of the bylaw.

Mr. Aly Jiwa, of Olds Owner and Operator of one of the businesses within the property came forward and answered Council questions speaking in favor of the bylaw.

Deputy Mayor Harper called for a second time for all those **in support** of the proposed Bylaw to come forward.

Mr. Jiwa, continued speaking to Council in favor of the bylaw and further explaining what the business does.

Deputy Mayor Harper called for all those **opposed** to the proposed Bylaw to come forward.

James Rosenberger of Olds, lives directly across the street and is speaking in opposition of amending the bylaw. Mr. Rosenberger spoke too many environmental and safety concerns he has with allowing this business to continue.

Deputy Mayor Harper called for a second time for all those **opposed** to the proposed Bylaw to come forward. No one came forward.

Deputy Mayor Harper called for all those **deemed affected** by the proposed Bylaw to come forward. No one came forward.

Deputy Mayor Harper called for a second time for all those **deemed affected** by the proposed Bylaw No one came forward.

Director Andrew indicated that he understands that this particular business has been inspected and was not aware of any outstanding issues.

Deputy Mayor Harper declared the public hearing for **Bylaw No. 2021-10, closed at 2:31 p.m.**

Moved by Councillor Thomson, "that Schedule C Light Industrial District (I1) is amended by adding Special Provisions for Salvage Yard on Lots 1 & 2, Block 54, Plan 131 1897. The maximum height for stacked vehicles or any other material waiting to be salvaged or partially salvaged shall not exceed 3.5 m (11.48 ft)."

Council discussion ensued on:

Process of approval

Height of stacked vehicles

Provincial regulations

Moved by Councillor Ryan, "that the amendment be amended as follows; "The maximum height for stacked vehicles or any other material waiting to be salvaged or partially salvaged shall not exceed 8 feet or 2.4

meters.”

Motion defeated 21-338

Council returned to motion on the floor and voted:

“that Schedule C Light Industrial District (I1) is amended by adding Special Provisions for Salvage Yard on Lots 1 & 2, Block 54, Plan 131 1897. The maximum height for stacked vehicles or any other material waiting to be salvaged or partially salvaged shall not exceed 3.5 m (11.48 ft).”

Motion Carried 21-339

Moved by Councillor Bennett, “that Council gives second reading to Bylaw No. 2021-10, as amended.”

Motion Defeated 21-340

**5B) Bylaw 2021-15 Uptown Olds Area Redevelopment Plan Amendment
Bylaw 2021-16 Land Use Bylaw 01-23 Amendment**

A public hearing was held for Bylaw 2021-15 Uptown Olds Area Redevelopment Plan Amendment and Bylaw 2021-16 Land Use Bylaw 01-23 Amendment.

Deputy Mayor Harper declared the public hearing for Bylaw No. 2021-15 and Bylaw 2021-16, open at 2:44 p.m.

Deputy Mayor Harper then asked Mr. Scott Purich, Parkland Community Planning Services, to explain the purpose and effect of the proposed bylaw.

Mr. Purich gave presentation on information as contained in the agenda package.

Where there are no persons present as delegations in Council Chambers, the hearing procedure shall eliminate the presentation from those in favor, opposed or deemed affected, as per the procedural bylaw.

Deputy Mayor Harper declared the public hearing for **Bylaw No. 2021-15 & 2021-16, closed at 2:54 p.m.**

Moved by Councillor Bennett, “that Council gives second reading to Bylaw No. 2021-15.”

Motion Carried 21-341

Moved by Councillor Ryan, “that Council gives third reading to Bylaw No. 2021-15.”

Motion Carried 21-342

Moved by Councillor Blatz, “that Council gives second reading to Bylaw No. 2021-16.”

Motion Carried 21-343

Moved by Councillor Thomson, “that Council gives third reading to Bylaw No. 2021-16.”

Motion Carried 21-344

5C) Bylaw 2021-08 Road Closure

Mr. Craig Teal, Parkland Community Planning Services (PCPS) participated virtually, he gave presentation to Council as contained in the agenda package.

Council discussion ensued.

Moved by Councillor Overwater, “that Council gives second reading to Bylaw No. 2021-08.”

Motion Carried 21-345

Moved by Councillor Bennett, “that Council gives third reading to Bylaw No. 2021-08.”

Motion Carried 21-346

*Deputy Mayor Harper recessed the meeting at 3:12p.m.
Deputy Mayor Harper reconvened the meeting at 3:19 p.m.*

6. NEW BUSINESS

Deputy Mayor Harper declared pecuniary interest on item 6A) on the agenda, as a member of the applicant group and left the meeting at 3:19 p.m. and Councillor Blatz took over as Chair for item 6A).

6A) Request for tax exemption and cancellation

Moved by Councillor Overwater, "that the Application for municipal Property Tax Exemption submitted by Mountain View Lodge No. 16 (of the Grand Lodge of Alberta A.F. & A.M) be accepted for the 2022 Taxation Year."

Director Linderman spoke to the request before council as contained in the agenda package.
Council discussion ensued on request before council.

Motion Carried 21-347

Moved by Councillor Ryan, "that Council approves the cancellation of the municipal property taxes, tax penalty revenue and miscellaneous finance charge on Roll Number 4016200 for outstanding portions."
Council discussion ensued.

Moved by Councillor Bennett, "that Council cancel all outstanding portions for Roll Number 4016200 a total of \$4,100.77."

Motion Carried 21-348

Councillor Ryan withdrew her motion on the floor.

Deputy Mayor Harper rejoined the meeting and returned to the Chair seat at 3:40 p.m.

6B) Proclamation: Back to School Traffic Safety Month

CPO Eric Christensen was present and presented the proclamation request to Council along with the Back to School Traffic Safety Month promotional plan as contained in the agenda package.

Moved by Councillor Overwater, "that Council proclaims September 1st to September 30th, Back to School Traffic Safety Month in the Town of Olds."

Motion Carried 21-349

6C) Sponsorship: Olds Minor Baseball U15 Boys Baseball provincials

Director Wagstaff spoke to the sponsorship request before council as contained in the agenda package.

Moved by Councillor Bennett, "that a sponsorship of \$500.00 for the Olds Minor Ball 2021 U15 Boys Provincial Championship Tournament August 27-29, 2021 be approved."

Council discussion ensued.

Motion Carried 21-350

7. REPORTS FROM COUNCIL, BOARDS AND COMMITTEES

7A) Reports from Council, Boards and Committees

Moved by Councillor Overwater, "that the reports from Council, Authorities, Boards, Committees and Commissions ending August 23, 2021, be received for information."

Councillor Overwater spoke on attending the Mountain View Regional Waste Management Commission meeting, Special meetings of Council, the Ag Smart event at the Olds College, Municipal Planning Commission.

Councillor Bennett summer break has been quiet, attended Special meetings of Council.

Councillor Thomson spoke on attending Special meetings of Council.

Councillor Blatz spoke on attending Special meetings of Council, Broadband Investment Committee meeting, the Ag Smart Event at Olds College and South Red Deer Regional Wastewater Commission meeting.

Councillor Ryan spoke on attending Special meetings of Council, the Ag Smart Event at Olds College and the Parkland Regional Library Executive Board meeting.

Mayor Muzychka spoke on attending Special meetings of Council and Ag Smart Presidential Reception at Olds College.

Councillor Harper spoke on attending Olds & District Chamber of Commerce meeting, the Mountain View Regional Water Services Commission meeting as well as the special meetings of Council.

Motion Carried 21-351

8. QUARTERLY FINANCIAL POSITION UPDATE

8A) Financial Updated to June 30, 2021

Director Linderman provided the Financial Update as contained in the agenda package.

Moved by Councillor Blatz, "that the financial report for the six (6) month period January 1st, 2021 to June 30, 2021 be accepted for information. "

Motion Carried 21-352

9. CORRESPONDENCE AND INFORMATION

9A) Correspondence and Information

CAO Merritt spoke on the items contained in the agenda package.

Moved by Councillor Overwater, "that the Correspondence and Information Report ending August 23, 2021 be received for information."

Mrs. Heather Dixon, Town of Olds Facilitator was present to speak to Council regarding the Grand Opening being planned for the Rotary Athletic Park of Olds on September 11, 2021.

Motion Carried 21-353

10. CLOSED SESSION

FOIP Section 16 – Disclosure harmful to business interests of a third party

FOIP Section 25 – Disclosure harmful to economic and other interests of a public body

FOIP Section 27 – Privileged Information

Moved by Councillor Overwater, "that Council move to closed session in accordance with Section 197(2) of the *Municipal Government Act* to discuss matters exempt from disclosure under FOIP Section 16, 25 and 27 at 4:19 p.m. with CAO Merritt, Rodd Thorkelsson, Director Wagstaff, Director, Linderman, Monica Leatherdale and Marcie McKinnon to remain in attendance."

Motion Carried 21-354

Meeting was closed to the public at 4:19 p.m.

Moved by Councillor Ryan, "that the meeting reconvene to the regular Council meeting at 5:13 p.m."

Motion Carried 21-355

Meeting was opened to the public at 5:13
Deputy Mayor Harper reconvened the meeting at 5:13 p.m.

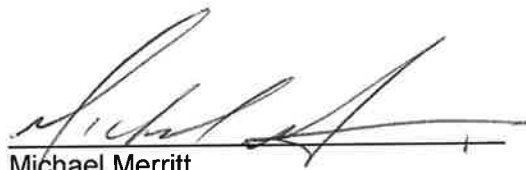
11. ADJOURNMENT

Moved by Councillor Blatz, "that this meeting be adjourned at 5:14 p.m."

Motion Carried 21-356



Michael Muzychka,
Mayor



Michael Merritt,
Chief Administrative Officer

These minutes were approved on the 13th day of September, 2021.

PLEASE NOTE: Live streaming of Town of Olds Council meeting began in October of 2020. To watch recordings of council meetings please visit the Town of Olds – YouTube Channel.