

Minutes of the Town of Olds Regular and Closed Council meeting conducted electronically through ZOOM Meetings on Monday, April 12, 2021 at 1:00 p.m. in the Council Chambers, at the Town Municipal Office.

As of March 27, 2020 the *Meeting Procedures (COVID-19 Suppression) Regulation* was enacted to assist local municipal governments meet *Municipal Government Act* legislative requirements for holding Council meetings. The PUBLIC had the opportunity to HEAR the meeting by calling this number 1 587 328 1099 (within Canada) and when prompted enter the Meeting ID 337 948 8245 and then Password 943170 to listen in to the live meeting.

**PRESENT – ELECTED OFFICIALS:**

In the Chair, Mayor Michael Muzychka (From Chambers.)  
Councillor Debbie Bennett, Councillor Wanda Blatz, Councillor Mary Jane Harper, Councillor Mary Anne Overwater, Councillor Heather Ryan and Councillor Mitch Thomson participated virtually.

**ABSENT– ELECTED OFFICIALS:**

**Participating virtually in the Regular meeting of Council – STAFF:**

Michael Merritt, Chief Administrative Officer; Doug Wagstaff, Director of Community Services; Sheena Linderman, Director of Finance; Scott Chant, Director of Operations; Justin Andrew, Director of Protective Services; Monica Leatherdale, Communications Coordinator and Marcie McKinnon, Legislative Clerk.

**1. CALL TO ORDER**

Mayor Muzychka called the meeting to order at 1:00 p.m.

**A.) ADDED ITEM(s)**

CAO Merritt requested item 6C) Special Council Meeting, be removed from the agenda and that a Closed Session item be added under FOIP Section 25 – Disclosure harmful to economic and other interests of a public body/FOIP Section 27 – Privileged Information, to end of the meeting.

Councillor Harper requested a new business item be added; Highway 27 road condition at the railroad track.

**B.) ADOPTION OF THE AGENDA**

Moved by Councillor Blatz, “to accept the Council agenda for the Monday, April 12, 2021 regular council meeting, as amended.”

Motion Carried 21-121

**2. ADOPTION OF PREVIOUS MINUTES**

**2A) Regular Council Meeting Minutes – March 22, 2021**

Moved by Councillor Bennett, “to accept the Regular Council Meeting Minutes – March 22, 2021, as presented.”

Motion Carried 21-122

**3. PRESENTATION AND DELEGATIONS**

**3A) Member of Parliament – Mr. Earl Dreeshen**

Mayor Muzychka introduced Mr. Earl Dreeshen the elected Member of Parliament who was participating virtually, who provided update to Council.

Moved by Councillor Harper, “that Mr. Dreeshen be thanked for his virtual attendance to the April 12, 2021 Regular Council Meeting and speaking to Council.”

Council discussion ensued, Mr. Dreeshen responded to Council queries.

Motion Carried 21-123

**3B) Emergency Management Agency – COVID Update**

Acting Director of Emergency Management, Mrs. Jennifer Lutz gave presentation to Council and provided a COVID update on the local status of the pandemic.

Moved by Councillor Blatz, “that Council accept the Emergency Management presentation on COVID-19 as information.”

Council discussion ensued, Mayor Muzychka suggested a town hall to capture local business concerns and use that information to consider for creating potential grant opportunities.

Motion Carried 21-124

**4. BUSINESS ARISING OUT OF MINUTES / UNFINISHED BUSINESS**

**5. BYLAWS**

**5A) Bylaw 2021-02 Land Use Bylaw – Chicken Coops**

Mayor Muzychka 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.

Mayor Muzychka declared this public hearing for **Bylaw No. 2021-02, open at 2:12 p.m.**

Mayor Muzychka then asked Ms. Natasha Wright, Parkland Community Planning Services, to explain the purpose and effect of the proposed bylaw.

Ms. Wright gave presentation on information as contained in the agenda package.

Mayor Muzychka 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.

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

Mrs. Wright read into record correspondence received from the following citizens, in support of the proposed bylaw.

**Edward Furst**

*Hello,*

*I wanted to write a short note to indicate my support for chickens in back yards in the Town of Olds.*

*Last summer, my neighbor has about a dozen chickens in his yard next door and there were no problems.*

*Thanks*

*Edward Furst*

**Amy Smart**

*To whom it may concern,*

*As a neighbor to two families with chickens, we do not see a problem with having them on our street.*

*The chickens teach children about agriculture and how to care for a pet other than the normal dog or cat.*

*They also provide emotional support for children with special needs.*

*These families invite my children to visit the chickens and on occasion my children have helped clean their pens and collected eggs.*

*I feel that urban chickens are cleaner and more welcome than the public with cats that roam the street and defecate in my flower beds.*

*I am open to discussing this in more detail.*

*Sincerely,*

*Amy Smart*

**Gina Belcastro**

*Hello, my name is Gina and I am Meg McVeity's neighbor. I don't see anything wrong with her having chickens. They are very quiet and very clean. I actually forget that they have chickens, unless I happen to go over there and see them or we chat about them. I think it's great for the kids to have some responsibility in having to take care of them, clean their coups and know where our food comes from. I hope that you take this into consideration and let them keep them.*

*Thank you for your time.*

*Gina Belcastro*

**Susan Brandon's** letter of support was read into record (will be held with the meeting minutes).

**Amanda Lutz** and **Lindsay Ehler** both spoke in favor of the proposed bylaw.

**Drew Marceton** spoke in favor of chickens however is not in favor of all proposed restrictions.

**Robert Rudd** spoke in favor of chickens but was not in favor of all proposed restrictions.

**Caleb McVeity** spoke in favor of chickens however is not in favor of all proposed restrictions.

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

No one came forward.

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

**Gloria Ulry** spoke against chickens and the proposed bylaw.

Mrs. Wright read into record correspondence received for the following citizens, opposed of the proposed bylaw.

**Baron and Evelyn Smith**

*To the mayor and council*

*Since you are having a zoom meeting on a Monday afternoon which most people can not join I am sending this email to voice our concerns about this bylaw land use change.*

*You already have by-laws for cats and dogs that by-law does not enforce. Not sure about other parts of town but we have coyotes and a fox. These chickens will attract other predators. Chickens are livestock not a pet and most people do not look after their pets or pick up after them. Dog park is a good example. I have a green space across the street from us and I see it every day. These are just some of the concerns we have.*

*On another topic it was in the newspaper about back yard rinks. Instead of making another bylaw that will not be enforced how about neighbors talk to each other. We have noticed kids out playing with these crazy times and it is good to see. Do not let some sour people dictate what goes on in others yards when it come to kids.*

*Baron and Evelyn Smith*

**Darren Wilson** – was on line and confirmed the comments read into record.

*To: Jennifer Lutz; Doug Wagstaff; Wanda Blatz; Heather Ryan*

*Regarding the urban chicken rules and bylaw discussion, I offer the following comments for consideration by the Mayor, Council and Administration:*

- 1) proceed cautiously with a, measured, long- term view, perspective and time line*
- 2) meaning that if possible.....begin with a " test" or pilot project methodology and approach in mind*
- 3) in some cases and this is a prime example, "less is more".....as relates to the number of allowable hens per coop and number of allowable coops per capita*
- 4) if the decision is made to allow urban hens/coops, I would encourage the Mayor, Council and Administration to consider a limit of no more than 4 hens per coop and approved licence/application*
- 5) if the decision is made to allow urban hens/coops, I would encourage the Mayor, Council and Administration to consider an initial cap or limit of 1 coop/1,000 residents as part of a pilot project. After a suitable assessment and review/trial period (ie. 6 months; 1 year) the cap or limit could be reviewed and consideration given to increasing the cap/limit. Continuous improvement of the bylaw will be key.....implement, execute, feedback, assess, revise.*
- 6) it would be nice to know, once permits/licences are approved, where in town the approved urban hens/coops will be located and whether there should be a limit of the concentration of urban hens/coops in a particular residential area*
- 7) if the decision is made to allow urban hens/coops, a requirement to obtain a license/permit should be proof of completion of a training course on ethically raising/maintaining urban hens. From my conversation with a local hobby farmer who has egg laying hens.....there are many tips, tricks, suggestions, learnings and knowledge related to proper and ethical care of egg laying hens.*
- 8) bylaw 2021-2 established the Municipal Planning Commission as decision-maker for applications.....I would like to know what is the complaint/mediation/dispute resolution process*
- 9) as a word of caution.....in speaking with a hobby farm owner who has upwards of 20 hens.....the coop is messy, dirty and smells. And not pleasant to clean.....which could impact quality of life for neighbouring residents and may lead to waste disposal concerns.*

*I apologize for sending this email so late in the process and on the eve of the public hearing.....I hope it is beneficial/meaningful/impactful regarding urban hen and chicken bylaw content and consideration for approval.*

*Sincerely*

*Darren Wilson*

Legislative Clerk, Marcie McKinnon read **Mr. Christiaan Liebenberg's** email provided comments into the record.

*I'm opposed to the Bylaw as it will not create responsible pet ownership nor foster humane keeping of farm animals. Enforcement and disease is a concern too. What would Council like to achieve with bylaw?*

Mayor Muzychka called for a second time for all those opposed to the proposed Bylaw to come forward.

No one came forward.

Mayor Muzychka called for all those **deemed affected** by the proposed Bylaw to come forward.

**John Palardy** spoke as affected by the proposed bylaw.

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

Mayor Muzychka opened the floor to Council for comments or questions.

Council discussion ensued on proposed amendments such as:

Coop(s) regulation (size, location)

Development permit costs for coops

Municipal Planning Commission as the development authority and process for approving coops

Mayor Muzychka asked Ms. Wright if she had any further comments. Ms. Wright did not.

Mayor Muzychka declared the public hearing for **Bylaw No. 2021-02, closed at 3:46 p.m.**

Moved by Councillor Blatz, "that Bylaw No. 2021-02 to amend the Land Use Bylaw be given second reading, as amended."

Council discussion continued on the proposed amendments:

Coop(s) regulation (size, location)

Development permit requirements for all coops

Municipal Planning Commission as the development authority and process.

Council agreed through a straw poll to keep approval with MPC. **CONSENSUS**

Council discussion held for existing chicken owners agreed to provide time to existing chicken owners to come in to compliance by January 2023. **CONSENSUS**

Director Wagstaff explained a period of time between the passing of this Bylaw in the late spring and January of 2022 would provide existing owners an opportunity to become complaint with coops.

Council discussion ensued on adding a clause, that when a development application comes forward that adjacent landowners 'will' be asked for comments before a decision is made. Mrs. Wright and Director Chant spoke to the current process that does include that step however, Director Chant did note that it is currently not in the Land Use Bylaw but is a consideration for a future amendment to the LUB.

#### Motion Carried 21-125

Councillor Thomson agreed to withdraw his motion (third reading) on the floor and moved "that Council table the vote to a future council meeting."

#### Motion Carried 21- 126

*Mayor Muzychka recessed the meeting 4:35 p.m.*

*Mayor Muzychka reconvened the meeting at 4:45 p.m.*

#### **5B) Bylaw 2021-04 Community Standards Bylaw 2015-08 Amendments**

Director Wagstaff provided highlights on the proposed amendments to the Community Standards Bylaw 2015-08 as contained in the agenda package.

Moved by Councillor Blatz, "that Bylaw 2021-04 Community Standards Amendment Bylaw be given second reading."

Council discussion ensued on:

Keeping of chickens - under point 6.51 (suggestion to delete "a hen" from the point b.)

Trial period for the chicken program.

Director Wagstaff spoke to the 'trial/pilot programs' question. In communities that had pilots they did trials administratively not with a bylaw, those bylaws won't come forward until pilots are concluded. The pilots are very limited in size.

Enforcement – how is this enforced (smell, sound, waste)?

Senior Community Peace Officer, Eric Christensen indicated that it is complaint driven.

Council Straw Polls held on the following:

6.51 Keeping of chickens

- b. suggestion to delete "a hen" from the point b. NO CONSENSUS TO AMEND
- c. change number to 6 CONSENSUS

6.54 Add Education course requirement to come with application

- ADD applicant must register with P.I.D. to application CONSENSUS
- Maximum licenses the Town should be given 40 CONSENSUS

6.61 No person who keeps Urban Hens shall:

- a. sell eggs, manure, meat, or other products derived from an Urban Hen; CONSENSUS

6.61 Responsibilities of Owners Keeping of Urban Hens

- c. suggestion to allow supervised free range in the yard no poll held NO CONSENSUS TO AMEND

Director Wagstaff explained a period of time between the passing of this Bylaw in the late spring and January of 2022 and the passing of the rates bylaw in September would provide existing owners an opportunity to become complaint with the number of chickens. A phased in enforcement implementation approach to monitor flock size for existing owners could be achieved with an enforcement directive from Director or CAO as has been done with implementation of other sections of the Community Standards Bylaw.

Councillor Blatz, will make friendly amendment by adding "as amended as discussed".

Motion Carried 21-127

Moved by Councillor Ryan, "that Council table third reading of the Bylaw 2021-04 Community Standards Amendment Bylaw to a future council meeting."

Motion Carried 21-128

### **5C) Bylaw 2021-06 Supplementary Assessment Bylaw**

Director Linderman spoke to the Supplementary Assessment Bylaw being presented to Council for their approval.

Moved by Councillor Blatz, "that Supplementary Assessment Bylaw 2021-06 is given first reading."

Motion Carried 21-129

Moved by Councillor Bennett, "that Supplementary Assessment Bylaw 2021-06 is given second reading."

Motion Carried 21-130

Moved by Councillor Ryan, "that Council give unanimous consent for presentation of the third reading of Supplementary Assessment Bylaw 2021-06."

Motion Carried 21-131

Moved by Councillor Thomson, "that Supplementary Assessment Bylaw 2021-06 be given third and final reading."

Motion Carried 21-132

**5D) Bylaw 2021-08 Road Closure**

Moved by Councillor Harper, "that Road Closure Bylaw No. 2021-08 be given first reading."

Motion Carried 21-133

Moved by Councillor Bennett, "that Council sets Monday, May 10, 2021 at 1:00 pm in Council Chambers as the date, time and place for a virtual Public Hearing on Bylaw No. 2021-08."

Motion Carried 21-134

**6. NEW BUSINESS**

**6A) Spring Budget Adjustments**

Director Linderman presented the Spring Budget Adjustments to Council as contained in the agenda package.

Council discussion ensued on the operating budget.

Moved by Councillor Blatz, "that Council approves the adjustments to the 2021 approved operating budget in the amount of \$277,122 for a total 2021 Operating Budget of \$30,688,823 as amended."

Motion Carried 21-135

Moved by Councillor Harper, "that Council approves the adjustments to the 2021 approved capital budget in the amount of \$4,208,319 for a total 2021 Capital Budget of \$12,684,919 as presented."

Motion Carried 21-136

**6B) Proclamation for National day of mourning April 28**

Moved by Councillor Ryan, "that April 28, 2021, be proclaimed 'National Day of Mourning' in the Town of Olds."

Motion Carried 21-137

~~6C) Special Meeting of Council~~ removed from agenda.

**6D) Farm Centre Safety Smarts Program – Donation Request**

Moved by Councillor Harper, "that Council approve sponsorship of \$250 to the Farm Safety Centre Safety Smarts Program as a one-time contribution, with future funding decisions made year to year."

Motion Carried 21-138

**Added Item**

**6E) Highway 27 Road Condition at the railway tracks**

Councillor Harper requested this item be added to the agenda, she expressed concerns over the condition of the road over the railway tracks on highway 27 and 50 Avenue.

Director Chant spoke on this issue; CP Rail has indicated that as of April 15 CP Rail will work to

rectify this situation with a temporary overlay and within the next twelve (12) months the transition will be re-done. The Town is continuing to seek clarity from CP Rail what the fix (smoothing out) will look like. Director Chant noted that he had information posted on social media and he will request more signage be put up by highway maintenance contractor.

Council suggested that the Mayor prepare and send a letter to CP Rail and the Province.

Moved by Councillor Harper, "that Council accept Director Chant's update on the road condition on Highway 27 at the railway tracks."

Motion Carried 21-139

## **7. REPORTS FROM COUNCIL, BOARDS AND COMMITTEES**

## **8. QUARTERLY FINANCIAL POSITION UPDATE**

## **9. CORRESPONDENCE AND INFORMATION**

### **9A) Correspondence and Information**

Moved by Councillor Blatz, "that the Correspondence and Information Report ending April 12, 2021 be received for information, as amended."

Motion Carried 21-140

## **CLOSED SESSION**

### **Item 1**

**FOIP Section 17 – Disclosure harmful to personal privacy**

**FOIP Section 20 – Disclosure harmful to law enforcement**

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 Sections 17 & 20 at 6:51 p.m. with CAO Merritt and Director Andrew to remain in attendance."

Motion Carried 21-141

### **Item 2**

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

**FOIP Section 27 – Privileged Information, to end of the meeting**

Moved by Councillor Ryan, "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 Sections 25 & 27 at 6:51 p.m. with CAO Merritt and Director Wagstaff, Director Linderman, Monica Leatherdale and Marcie McKinnon to remain in attendance."

Motion Carried 21-142

Mayor Muzychka explained the process to the meeting participants for when Council moves in and out of the Closed Session.

The general public were moved to the waiting room of the meeting platform at 6:52 p.m.

Director Andrew left the meeting at 7:16 p.m.

Director Wagstaff, Monica Leatherdale, and Marcie McKinnon were allowed in from the waiting room at 7:17 p.m.

Moved by Councillor Blatz, "that the meeting reconvene to the regular Council meeting at



7:19 p.m.”

Motion Carried 21-143

Mayor Muzychka recessed the meeting at 7:19 p.m.  
Mayor Muzychka reconvened the meeting at 7:30 p.m.

Administration moved the public from the waiting room back to the meeting at 7:30 p.m.

RISE AND REPORT

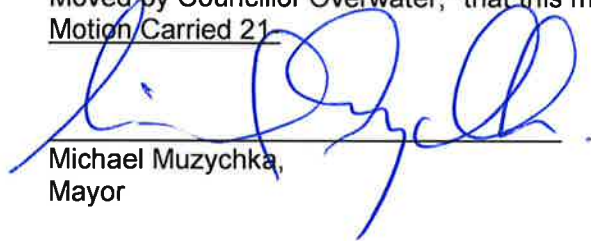
Moved by Councillor Overwater, “that Council direct the Mayor act as discussed in closed session.”

Motion Carried 21-144

## 10. ADJOURNMENT

Moved by Councillor Overwater, “that this meeting be adjourned at 7:31 p.m.”

Motion Carried 21-



Michael Muzychka,  
Mayor



Michael Merritt,  
Chief Administrative Officer

These minutes were approved on the twenty-sixth day of April, 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.*

