



REGULAR MEETING OF COUNCIL
Held on Monday May 13, 2024
In Person & Virtually, Commencing at 6:00 p.m.

IN ATTENDANCE:

Mayor: D. Anderberg

Councillors: M. Barber, D. Green, W. Oliver, B. Wright, G. Cleland, and S. Nodge

Staff: K. Dunbar, Chief Administrative Officer; W. Catonio, Director of Corporate Services; K. Kozak, Planning and Development Officer; S. Burnell, Director of Operations; B. Millis, Safety & HR Manager; L. Goss, Legislative Services Manager; A. Grose, Recreation Manager; and K. Green, Executive Assistant

1. CALL TO ORDER

Mayor Anderberg called the meeting to order at 6:00 pm.

2. SCHEDULED PUBLIC HEARING

3. AGENDA APPROVAL

CLELAND:

That Council for the Town of Pincher Creek agree to add 8.6 Bill 20, 8.7 Water & 9.1 Special Meeting to the May 13, 2024 Regular Council meeting agenda.

CARRIED 24-223

NODGE:

That Council for the Town of Pincher Creek accept the May 13, 2024 Regular Council meeting agenda as amended.

CARRIED 24-224

4. DELEGATIONS

- 4.1 Oldman Rose Society (Did not attend)
- 4.2 Gordon McMullen - Batting Cage at Sproule ball diamond

5. ADOPTION OF MINUTES

5.1 Minutes of the Special Meeting of Council held on April 17, 2024

GREEN:

That Council for the Town of Pincher Creek approves the Minutes of the Special Meeting of Council held on April 17, 2024 as presented.

CARRIED 24-225

5.2 Minutes of the Regular Meeting of Council held on April 22, 2024

WRIGHT:

That Council for the Town of Pincher Creek approves the Minutes of the Regular Meeting of Council held on April 22, 2024 as presented.

CARRIED 24-226

A handwritten signature in blue ink, appearing to be the initials "D.A.", written over a horizontal line.

5.3 Minutes of the Special Meeting of Council held on April 25, 2024

CLELAND:

That Council for the Town of Pincher Creek approves the Minutes of the Special Meeting of Council held on April 25, 2024 as presented.

CARRIED 24-227

5.4 Minutes of the Committee of the Whole held on May 1, 2024

NODGE:

That Council for the Town of Pincher Creek approves the Minutes of the Committee of the Whole held on May 1, 2024 as presented.

CARRIED 24-228

6. BUSINESS ARISING FROM THE MINUTES

6.1 Lebel Mansion Windows

OLIVER:

That Council for the Town of Pincher Creek direct administration to propose amendments To the Lebel Mansion Municipal Historic Resource Designation By-Law 1614-14 to exclude the Lebel Mansion windows as Character Defining in Schedule A Statement of Significance and bring the amended by-law back to a future Council Meeting for adoption.

CARRIED 24-229

6.2 Oldman Rose Society of SW Alberta - Development Permit and Updated Agreement

BARBER:

That Council for the Town of Pincher Creek approve and authorize the agreement between the Town of Pincher Creek and the Oldman Rose Society of Southern Alberta dated June 1, 2024.

CARRIED 24-230

BARBER:

That Council for the Town of Pincher Creek authorize and direct administration to proceed and submit the Application for a Development Permit for the development of a six-foot fence located around the rose garden on 696 Kettles Street, Plan 460B, Lots 231-238, to the Municipal Development and Subdivision Authority (MDSA) for consideration in accordance with the Land Use Bylaw 1547. FURTHER That Council for the Town of Pincher Creek agree to waive the application fee for Development Permit 24-D0035.

CARRIED 24-231

7. BYLAWS

7.1 Bylaw 1473-24 Appointing the Chief Administrative Officer

CLELAND:

That Council for the Town of Pincher Creek That Council for the Town of Pincher Creek give the Repeal Obsolete and Redundant Bylaw Appointing the Chief Administrative Officer 1473-24A first reading.

CARRIED 24-232

CLELAND:

That Council for the Town of Pincher Creek give the Repeal Obsolete and Redundant Bylaw Appointing the Chief Administrative Officer 1473-24A second reading.

CARRIED 24-233

OLIVER:

That Council for the Town of Pincher Creek agree unanimously to present the Repeal Obsolete and Redundant Bylaw Appointing the Chief Administrative Officer 1473-24A for third reading at the May 13, 2024 regular meeting of Council.

CARRIED 24-234

GREEN:

That Council for the Town of Pincher Creek give the Repeal Obsolete and Redundant Bylaw Appointing the Chief Administrative Officer 1473-24A third and final reading.

CARRIED 24-235

8. NEW BUSINESS

8.1 Clean Energy Improvement Program

WRIGHT:

That Council for the Town of Pincher Creek receive the Clean Energy Improvement Program report as information.

CARRIED 24-236

8.2 QUEST Net Zero Communities Accelerator Benchmark

OLIVER:

That Council for the Town of Pincher Creek direct administration to bring back specific items from the opportunities to pursue.

CARRIED 24-237

8.3 June 12 Open House

BARBER:

That Council for the Town of Pincher Creek agree that administration will present the Winter Maintenance Survey results and share the Public Engagement Survey for the External Communications Plan development and directs administration to not have additional prepared topics of conversation and have a "Coffee with Council" open discussion.

CARRIED 24-238

8.4 Lightchasers Nature Photography Conference 2024

GREEN:

That Council for the Town of Pincher Creek agree to sponsor the 2024 Lightchasers Nature Photography Conference as a "Rise and Shine Partner (level 1)" for \$750 to be funded from the Community Contingency Grant and that a Council designate provides a welcome from the Town of Pincher Creek at the opening of the conference.

CARRIED 24-239

8.5 Senior's Week Council Event

GREEN:

That Council for the Town of Pincher Creek appoint Mayor Anderberg, Councillor Green and any other Councillors who wish to attend the Seniors Week Coffee with Council event at the Fred Huddleston Seniors Centre on June 4th, 2024 from 10:00 to 12:00.

CARRIED 24-240

8.6 Bill 20

8.7 Water

9. REPORTS

9.1 Council (Upcoming Meetings and Events)

ANDERBERG:

That Council for the Town of Pincher Creek call a special council meeting on May 21 2024 at 4:00pm pm on Personnel.

CARRIED 24-241

CLELAND:

That Council for the Town of Pincher Creek accept the Upcoming Meeting and Events report as information.

CARRIED 24-242

9.2 Chief Administrative Officer

9.3 Others

10. ADMINISTRATION

10.1 Council Information Distribution List

BARBER:

That Council for the Town of Pincher Creek accepts the May 13, 2024 Council Information Distribution List as information.

CARRIED 24-243

ANDERBERG:

That Council for the Town of Pincher Creek respond to the correspondence from the MD on the Arena Sound System and thank them for their contributions to the community.

CARRIED 24-244

OLIVER:

That Council for the Town of Pincher Creek direct administration to follow up with the window cleaning initiative.

CARRIED 24-245

*Mayor Anderberg called a recess at 7:50pm
Mayor Anderberg called the meeting back at 8:00pm*



11. CLOSED MEETING DISCUSSION

CLELAND:

That Council for the Town of Pincher Creek agree to move into closed session of Council on May 13, 2024 at 8:00 pm in accordance with section 16 & 24 of the Freedom of Information and Protection of Privacy Act, with the Chief Administrative Officer, Executive Assistant, Director of Corporate Services, Director of Operations and Manager of Health and Safety in attendance.

CARRIED 24-246

OLIVER:

That Council for the Town of Pincher Creek agrees to move out of closed session of Council on May 13, 2024 at 9:22 pm in accordance with sections 16 & 24 of the Freedom of Information and Protection of Privacy Act.

CARRIED 24-247

11.1 Offer to Purchase Roll #04101400

NODGE:

That Council for the Town of Pincher Creek deny the request from South West Waste Management {1438954 Alberta Ltd.) to waive the requirement for a professional appraisal determining fair market value in accordance with the Right of First Refusal and Option to Purchase Agreement between the Town of Pincher Creek and 1438954 Alberta Ltd. dated June 2022.

CARRIED 24-248

Councillor Cleland requested a recorded vote:

For:

Anderberg
Wright
Oliver
Nodge
Green

Against:

Barber
Cleland

NODGE:

That Council for the Town of Pincher Creek refuse the offer to purchase from South West Waste Management {1438954 Alberta Ltd) and direct administration communicate to South West Waste Management that a wetland study is forthcoming and that will advise Council on further negotiations.

CARRIED 24-249

11.2 Offer to Purchase Roll #4102400 and #4102200

OLIVER:

That Council for the Town of Pincher Creek agree to amending the conditions of the Real Estate Purchase Contracts for Plan 0512718, Block 4, Lot 19 (1364 McEachern Street) dated August 23, 2023 and Plan 0512718, Block 4, Lot 18 (1368 Dobbie Avenue) dated September 11, 2023 as follows;

Removal on condition 2.b) The Purchaser covenants that he or she will commence to erect upon the said property a building that meets the criteria of the existing Town of

Pincher Creek land-use by law as it pertains to the said lands within 6 months from the Date of this agreement – it being understood and agreed that the said building shall be completed within two (2) years from the date of this agreement. Amendment of condition 4 to read UPON PAYMENT of all the monies herein agreed to be paid by the Purchaser, the Vendor covenants and agrees with the Purchaser to convey or cause to be conveyed to the Purchaser, by Transfer under the Land Titles Act, the said parcel of land, free and clear of all encumbrances but subject, nevertheless, to the exceptions, restrictions, and conditions in the existing Certificate of Title thereto, and in the original grant from the Crown, and such encumbrances, liens, and charges, as may have been made or suffered by the Purchaser. And the removal of condition 11 THE TOWN shall register the Development Agreement against the title, and the Purchaser shall pay the costs incurred by the Town in the registering and discharging of the registration at land Titles Office.

CARRIED 24-250

NODGE:

That Council for the Town of Pincher Creek agree to amending the conditions of the Real Estate Purchase Contracts for Plan 0512718, Block 4, Lot 19 (1364 McEachern Street) dated August 23, 2023 and Plan 0512718, Block 4, Lot 18 (1368 Dobbie Avenue) dated September 11, 2023 to require consolidation of the Parcels.

CARRIED 24-251

11.3 Offer to Purchase Roll #08600600

OLIVER:

That Council for the Town of Pincher Creek agree and accept the offer to purchase from Legendary Kind Edward Hotel in the amount of \$100,000 (GST Exempt) for Plan 0613747, Block 5, Lot 6 (1124 Table Mountain Street) dated May7, 2024 subject to that the purchaser is responsible for all costs associated with the water and sewer connections to the mains and direct administration to provide instruction to North & Company Law Office to act on the Town's behalf regarding the real estate transaction once the advertising period is complete.

CARRIED 24-252

11.4 Direction from Council Legal Situation

NODGE:

That Council for the Town of Pincher Creek direct Administration to proceed with non-binding mediation within the financial parameters as discussed.

CARRIED 24-253

11.5 Draft MOU for Curling Club

GREEN:

That Council for the Town of Pincher Creek accept the draft Memorandum of Understanding as information.

CARRIED 24-254

11.6 Land Development Reuse Study

OLIVER:

That Council for the Town of Pincher Creek accept the Land Development Reuse Study verbal update from administration as information.


CARRIED 24-255

12. NOTICE OF MOTION


**13. ADJOURNMENT
CLELAND:**

That this meeting of Council on May 13, 2024 be hereby adjourned at 9:32 pm.

CARRIED 24-256



MAYOR, D. Anderberg



CAO, K. Dunbar

**APPROVED BY RESOLUTION
OF THE COUNCIL OF THE
TOWN OF PINCHER CREEK,
THIS 22 DAY OF MAY 2024**

S E A L

**NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON
MONDAY MAY 22, 2024 AT 6:00 P.M.**

Initials 