



**COMMITTEE OF THE WHOLE
MEETING AGENDA**
Wednesday, July 3, 2024 at 8:30 a.m.
Council Chambers, Town Hall
Teams Link

1. **Call to Order**
2. **Agenda Approval**
3. **Scheduled Delegations**
4. **Committee Reports**
5. **Administration**
6. **Business Arising from the Minutes**
 - 6.1 Open House Feedback Page 2
7. **Policy**
8. **New Business**
 - 8.1 Bill 20 Discussion Page 7
 - 8.2 Alberta Municipalities 2024 Convention Page 14
9. **Closed Session Discussion**
10. **Adjournment**



Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: June 24 Open House Feedback	
PRESENTED BY: Konrad Dunbar, Chief Administrative Officer	DATE OF MEETING: 7/3/2024

PURPOSE:

Feedback from the June 24 Open House has been compiled to report back to Town Council.

RECOMMENDATION:

That Council for the Town of Pincher Creek accept the June 24 Open House Feedback as information

BACKGROUND/HISTORY:

The Town of Pincher Creek hosted an Open House on June 24. Town Council requested feedback from the open house be collected and shared.

ALTERNATIVES:

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IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

Strategic Plan - Communications and Community Engagement

FINANCIAL IMPLICATIONS:

NA

PUBLIC RELATIONS IMPLICATIONS:

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ATTACHMENTS:

Open House Feedback - June 2024 - 3447

CONCLUSION/SUMMARY:

Feedback from the Open House was requested and responses were compiled and shared with Town of Pincher Creek Council at their request.

Signatures:

Department Head:

Konrad Dunbar

CAO:

Konrad Dunbar

JUNE 24 OPEN HOUSE FEEDBACK

COUNCILOR GREEN

Re: The Open House.

People arriving were surprised to find no chairs. We need to understand that not all people are comfortable standing (for any length of time). I have never been a fan of “breakout” tables. Someone moving from one table to another often finds that they arrive in the middle of an explanation being given to others and they have to wait for their interest to be addressed (keeping in mind that individuals in the first group are all expecting their turns). The proximity of one table to another often creates an acoustic overlap and that creates confusion. If citizens move to one particular table, they may be expecting to remain for lengthy discussion (until their particular issue is resolved). Inevitably, there are citizens who see this opportunity to grandstand and they simply won’t give up the opportunity to corner, congratulate, and/or berate the Council rep at the table.

Brief and concise reports such as the one presented by Stephen are excellent tools. A brief Q and A following such reports could cover a lot of ground and pinpoint items of congratulations or concern by citizens. We have excellent staff in place to allow such detailed presentations. Mayor and Council can and should be present and be prepared to briefly acknowledge concerns and to offer assurance that the matters raised will reach the Council table through some communication channel.

I would recommend a “re-think” of our approach to the Open House concept.

COUNCILOR OLIVER

My candid opinion is the open house set up could have been better. I would have liked to have seen about 30 chairs set up near where Stephen was standing. I think that would have been more welcoming to our residence if they could sit for Stephen’s presentation. I enjoyed what Stephen shared about the snow removal survey. The breakout tables were a good idea but could be improved with a sign or poster indicating what conversation was going to happen at each table. It was great that the Rec Department had some display boards up. Would have been nice to have a display board of some sort at each table.

COUNCILOR BARBER

Re: Feedback Request, Town Hall Information Evening, June 12, 2024

I thought the evening went very well in that I was able to speak with numerous residents regarding their community concerns.

One of the discussions I enjoyed was with Ed and Val Sinnott regarding snow removal.

The following provides their concerns:

1. Treacherous ice accumulation at the west Main Street cross walk. Students and parents of Canyon School predominantly utilize the noted cross walk. The road surface at the site does not allow moisture to drain away resulting in substantial ice formations.
2. Downtown snow removal is not acceptable. The town's participation with snow removal last winter in the downtown area has never been poorer. The town's participation probably made matters worse in that moisture was not able to drain away and ice was allowed to accumulate. Snow removal efforts in previous years provide that the town does understand what needs to be done in order to provide an acceptable level of service.
3. Snow plows blocking residential driveways. Winter snow plowing on residential streets did not provide for the removal of the snowbanks at the end of the driveways. This service was provided in previous years. This lack of service could become critical if emergency responders were not able to participate in emergency situations due to the lack of snow removal service.
4. Sidewalk shoveling enforcement. It was provided that town residents should not have to report a lack of snow shoveling participation by their neighbors to the town. Our town employees should be observing the lack of snow removal and reporting the location to the town authorities for the appropriate follow up.

The above considerations are provided in order to ensure that our snow removal services are significantly improved in the future.

DIRECTOR OF OPERATIONS

I think it went well. I was busy from start to end, had lots of interesting discussions, and received several suggestions for follow-up.

The only real challenge was finding things on the map. Street names are great, but most people are better acquainted with landmarks such as schools, parks, etc and can then identify/find an area of town more easily.

Public open houses could also be a good time to pass out information pointing people to Citywide for specific concerns they have throughout the year. Ultimately, we need to revamp how Citywide is used to improve the communications component and we also need to educate residents on the importance of using the Citizen Request form so that we can track and follow-up on identified issues/concerns. I have heard lots of comments that people know about the Citizen Request form, however, they don't believe it works. I have started discussing the changes with my staff to improve our communications related to Citywide requests.

COMMUNICATIONS OFFICER

One resident expressed concerns that submission through the Citizen Request Form were not being replied to when the person submitting the form has checked the box requesting a response.

The combination of having a presentation in addition to information stations made it difficult to set up chairs as we would then have had to clear them out while people were trying to move around to the

stations. My preference would have been to have the presentation set up in the Council Chambers, unfortunately we did not have access to that room in advance of the presentation in order to set up.

Having more displays would have been a better setup – there was not sufficient time to produce anything new. If we plan to hold information stations again in the future, we will need more lead time to prepare the materials. Some of the participants indicated they had their own materials to provide and did not require assistance from the Town.

I would also recommend that location, day of the week, and time is alternated throughout the year (if we hold more than one open house per year) as there were some comments on social media that the timing did not work for some demographics of our community (mainly families with kids). This may be a great opportunity to hold “Coffee with Council” around the community that would not require resources such as information displays.

FYI - We advertised the details of the event on social media, our website, the newspaper, and our e-newsletter which is also printed and distributed to the library, The Hut Café, Seeds, Bear Grass Bistro, and Crestview Lodge. I did forget to add it to the digital sign by Tim Horton’s and have noted that so it is not missed for future open houses and other Town and Council engagement events.



Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Bill 20 Discussion	
PRESENTED BY: Konrad Dunbar, Chief Administrative Officer	DATE OF MEETING: 7/3/2024

PURPOSE:

For Council to discuss Bill 20 and the affect it will have on the Town of Pincher Creek.
And if required, give direction to Administration on further messaging to the Minister or Alberta Municipalities.

RECOMMENDATION:

That Council for the Town of Pincher Creek accept the report Bill 20 Discussion as information.

BACKGROUND/HISTORY:

Council has expressed the desire to have a discussion around the changes to the Municipal Government Act and the Local Government Elections Act, how these changes will affect the Town and any further directions to administration.

ALTERNATIVES:

That Council for the Town of Pincher Creek directs administration as follows:

1. _____

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

To ensure that any changes to the MGA and LGEA are reflective of the needs of Pincher Creek.

FINANCIAL IMPLICATIONS:

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PUBLIC RELATIONS IMPLICATIONS:

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ATTACHMENTS:

Municipal Affairs Statutes Amendment Act Fact Sheet - 3444

24.07.03 COTW Agenda

Letter from Minister McIver - 3444

CONCLUSION/SUMMARY:

The many changes in Bill 20 require a fulsome discussion on the impacts to the Town of Pincher Creek.

Signatures:

Department Head:

Konrad Dunbar

CAO:

Konrad Dunbar



Bill 20 – *Municipal Affairs Statutes Amendment Act, 2024* (AMENDED)

The proposed *Municipal Affairs Statutes Amendment Act, 2024*, would make changes to two key pieces of municipal-related legislation: the *Local Authorities Elections Act (LAEA)* and the *Municipal Government Act (MGA)*.

- The **LAEA** establishes the framework for the conduct of elections in Alberta municipalities, school divisions, irrigation districts, and Metis Settlements.
- The **MGA** establishes the rules governing the conduct of local elected officials once on council, as well as the overall administration and operation of municipal authorities in Alberta.

On May 23, 2024, amendments were tabled to more clearly outline the authorities to dismiss a councillor and repeal a bylaw.

Changes to local election rules under the *LAEA*

Proposed changes to the *LAEA* aim to add greater transparency to and trust in local election processes.

Description of Proposed Changes	Current Status
Align candidate eligibility criteria with councillor disqualification criteria in the <i>MGA</i> .	Candidates elected to council may face immediate disqualification due to misalignment with the <i>MGA</i> 's criteria.
Allow municipalities to require criminal record checks for candidates.	No provisions in place.
Allow union and corporate donations to local candidates, with the same donation limits as individual donors (\$5,000 per municipality per year).	Unions and corporations were prohibited from donating to municipal campaigns in the 2021 campaign.
Allow donations outside the local election year and require annual reporting of donations.	Donations outside of the campaign period (January 1 to December 31 in the year of a general election) were restricted to a maximum of \$5,000 per year.
Require third-party advertisers interested in plebiscites to register and report finances. Only Albertans, Alberta companies and Alberta unions can contribute to issues-based third-party advertisers, up to a maximum of \$5,000.	The <i>LAEA</i> only regulates third-party advertising for the promotion or opposition of a candidate during an election. There is no reference to issue-based advertising.
Limit donations to third party advertisers to \$5,000 per election period, which begins May 1 of the election year.	The current donation limit is \$30,000 for all individuals, unions, and corporations.
Enable regulation-making authority to define local political parties. This approach will be piloted in Calgary and Edmonton.	No provisions in place to regulate political parties at the local level.
Repeal the municipal authority to develop a voters list.	Municipalities can prepare a voters list, which must be shared with all candidates.
Require municipalities to use the most current provincial register of electors from Elections Alberta.	A permanent electors register is an internal document that assists with the conduct of an election. Municipalities can choose to develop one or not.
Expand the use of special ballots while strengthening special ballot processes.	Special ballots can only be requested for very specific reasons, including physical disability, absence from the municipality, or for municipal election workers.
Limit vouching to the ability to vouch for someone's address.	An elector can vouch for an individual's age, residence, and identity.
Repeal the ability for a candidate's official agent or scrutineer to object to an elector.	Candidate's official agents or scrutineers can object to an elector; however, the elector can still vote.
Enable regulation-making authority to postpone elections in emergencies.	No provisions in place to enable the Minister to postpone an election in the event of a natural disaster.

Prohibit automated voting equipment, such as electronic tabulators.	The <i>LAEA</i> permits municipalities, by bylaw, to process ballots by automated voting equipment.
Require recounts if requested by a candidate when the margin is within 0.5 percent of total votes.	Returning officers have discretion regarding recounts.
Clarifying rules and streamlining processes for scrutineers.	Concerns have been raised that the rules for scrutineers are not clear.

Strengthening the accountability of local councils under the *MGA*

Proposed changes to the *MGA* will help ensure local councils and elected officials are mindful of the common interests of Albertans and held to greater account by the citizens who elected them.

Description of Proposed Changes	Current Status
Require a councillor's seat to become vacant upon disqualification.	Municipal councils or electors can only remove a disqualified councillor through the courts if they refuse to vacate their seat.
Require mandatory orientation training for councillors.	Training for councillors must be offered, but there is no requirement for the councillor to attend the training.
AMENDED: Allow Cabinet to remove a councillor by ordering a vote of the electors to determine whether the councillor should be removed. An elector vote to remove a councillor is limited to councillors who Cabinet consider to be unwilling, unable, or refusing to do the job for which they were elected, or if Cabinet considers such a vote to be in the public interest by taking into consideration illegal or unethical behaviour by a councillor.	Minister can only remove a sitting councillor through the municipal inspection process and only under very specific circumstances.
Allow elected officials to recuse themselves for real or perceived conflicts of interest.	Elected officials can only recuse themselves for matters in which they have a financial interest.
Make the Minister responsible for validating municipal recall petitions.	A municipality's chief administrative officer is responsible for validating recall petitions.
AMENDED: Enable Cabinet to require a municipality to amend or repeal a bylaw given specific requirements are met that allow Cabinet to intervene (including: the bylaw exceeds the scope of the <i>MGA</i> or otherwise exceeds the authority granted to a municipality under the <i>MGA</i> or any other statute, conflicts with the <i>MGA</i> or any other statute, is contrary to provincial policy, or contravenes the Constitution of Canada.	Cabinet may only intervene with respect to a land use bylaw or statutory plan. No provisions exist.
Give Cabinet authority to direct a municipality to take specific action to protect public health and/or safety.	
Allow the Minister to outline joint use planning agreement criteria and requirements.	All criteria for these agreements are currently in the <i>MGA</i> .
Specify that the assessed person for an electric generation system is the operator.	There is a lack of clarity regarding who should be assessed for electrical generation systems.

Accelerating housing development under the *MGA*

Affordable and attainable housing has become one of the most urgent concerns across the country, and Alberta's government is constantly searching for innovative ways to meet this challenge, including new tools for municipalities to leverage under the *MGA*.

Description of Proposed Changes	Current Status
Require municipalities to offer digital options for public hearings on planning and development and restrict them from holding extra hearings when not required by legislation.	No requirements in place for digital options. Municipalities can hold extra hearings beyond what's legislated.

Description of Proposed Changes	Current Status
Fully exempt non-profit subsidized affordable housing from property taxation.	No provisions in place.
Enable multi-year residential property tax incentives.	Municipalities may offer multi-year incentives for non-residential development, but not residential development.
Limit the ability of municipalities to require non-statutory studies as requirements for building and development permits.	No provisions in place.

Next steps

Should the legislation pass, supporting regulations would be developed through stakeholder engagement with municipalities and other partners, which is expected to take place in late spring and summer of 2024. If passed, it is anticipated that the majority of the legislation would come into force upon proclamation. Provisions that have property tax implications retain a January 1, 2025, coming into force date.



ALBERTA

MUNICIPAL AFFAIRS

Office of the Minister

MLA, Calgary-Hays

May 24, 2024

Dear Chief Elected Official

As you are aware, I recently introduced Bill 20: the Municipal Affairs Statutes Amendment Act, 2024 which proposes to modify two key pieces of legislation for Alberta municipalities – the Municipal Government Act (MGA) and the Local Authorities Election Act (LAEA). The proposed legislation will help municipalities accelerate housing development, strengthen provincial oversight, and update the rules for local elections and locally elected officials.

Firstly, I want to recognize the passionate and constructive feedback I have received from the many mayors, reeves, councillors, and school board trustees across the province over the past few weeks. Your involvement and ardent commentary are a testament to your good work as public servants.

I've heard your concerns and at the May 23, 2024, Committee of the Whole, amendments to Bill 20 were tabled to further clarify the intent of this bill and ensure that locally elected municipal governments will continue to govern in response to the priorities and interests of their residents.

Bill 20 will maintain the municipal ability to govern affairs within local jurisdiction while allowing Cabinet to step in when municipal bylaw crosses into provincial jurisdiction. This will ensure that municipal councils remain focused on municipal issues that their constituents elected them to address. Cabinet's authority to intervene in municipal bylaws will be considered as a last resort; I anticipate that this power will be used very rarely, if ever. As you may know, the ability for the provincial government to repeal or amend bylaws, or dismiss councillors is not new, as municipalities receive their authority from the provincial government as laid out in Canada's Constitution and Alberta's MGA. While Bill 20 proposes to update the process for the provincial government to act more quickly in extenuating, urgent circumstances, these are not new powers.

These amendments will provide additional guardrails for when municipal bylaws can be repealed through the Cabinet process, and remove the direct ability for Cabinet to dismiss a councillor. Cabinet would retain the authority to have a vote of the electors on the potential removal of a councillor, putting this choice back into the hands of the voters.

We have also received a number of questions about some of the changes to the LAEA regarding fundraising. Bill 20 will also increase transparency in campaign financing. Under the old rules, the LAEA only regulated Third Party Advertisers (TPAs) who advertised for the promotion or opposition of a candidate during an election, with donations to such entities limited to a maximum of \$30,000 for all individuals, unions, and corporations. The proposed changes require TPAs who are interested in an issue (rather than a specific candidate) to register and report their finances. We are further proposing to restrict contributions to \$5,000, and for

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contributions to only be made by Albertans, Alberta companies, or Alberta unions. We are also proposing to further develop expense limits in the regulations.

Currently, municipal candidates are able to organize into political parties or slates without any rules around their organization. Adding rules around political parties will increase transparency for electors. Bill 20 will provide rules around enabling local candidates to identify with local political parties without direct affiliation to provincial or federal parties. I have publicly stated my intention to implement the option to include municipal political party affiliation on ballots only in the cities of Edmonton and Calgary. I will also note that any that no candidate will be required to join a political party - they will always remain voluntary and local.

I will continue to consider feedback as I bring Bill 20 through the legislative process. Alberta's government remains committed to fairness and due process and will continue working with local authorities to ensure Albertans have the effective local representation they deserve. Should the legislation pass, Municipal Affairs will be engaging with municipalities and stakeholders over the coming months to explain the changes Bill 20 will require at a local level, and develop regulations as required.

Please find enclosed the Bill 20 Fact Sheet, which can be found on the Government of Alberta website. This document offers clarifications on what Bill 20 means for municipalities and how the changes will impact municipal governments. For more information, please visit: www.alberta.ca/strengthening-local-elections-and-councils.

Sincerely,

A handwritten signature in black ink that reads "Ric McIver". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Ric McIver
Minister

Attachment: Bill 20 – Fact Sheet



Town of Pincher Creek

REQUEST FOR DECISION

Council or Committee of the Whole

SUBJECT: Alberta Municipalities 2024 Convention	
PRESENTED BY: Konrad Dunbar, Chief Administrative Officer	DATE OF MEETING: 7/3/2024

PURPOSE:

Opportunity for Council to discuss who will be attending the Alberta Municipalities 2024 Convention on September 25th to 27th 2024, lodging for the event and meeting scheduling.

RECOMMENDATION:

That Council for the Town of Pincher Creek directs administration to book lodging for the following attendees to the Alberta Municipalities 2024 Convention: _____

and further, book a meeting with Minister McIver to discuss the following topics:

BACKGROUND/HISTORY:

Typically the hotels fill up early for the Alberta Municipalities Convention, Administration would like to proceed with booking hotels for Councilors who are attending.

We have also received the following request:

Dear Chief Administrative Officer:

I am writing to inform you of a potential opportunity for municipal councils to meet with the Honourable Ric McIver, Minister of Municipal Affairs, at the Alberta Municipalities (ABmunis) Fall 2024 Convention, scheduled to take place at the Westerner Park (4847A 19 Street Red Deer, AB, T4R 2N7) from September 25-27, 2024.

Should your council wish to meet with Minister McIver during the convention, please submit a request by email with potential topics for discussion to ma.engagement@gov.ab.ca no later than July 12, 2024.

We generally receive more requests than can be reasonably accommodated over the course of the convention. Requests which meet the following criteria will be given priority for meetings during the convention:

Municipalities that identify up to three discussion topics related to policies or issues directly relevant to the Minister of Municipal Affairs and the department. It is highly recommended to provide details on the discussion topics. Municipalities located within the Capital Region can be more easily accommodated throughout the year, so priority will be given to requests from municipalities at a distance from Edmonton and to municipalities with whom Minister McIver has not yet had an opportunity to meet. Meeting requests received after the deadline will not be considered for the convention.

Meeting times with the Minister are scheduled for approximately 15 minutes. This allows the Minister to engage with as many councils as possible. All municipalities that submit meeting requests will be notified at least two weeks prior to the convention as to the status of their request.

Municipal Affairs will make every effort to find alternative opportunities throughout the remainder of the year for municipalities the Minister is unable to accommodate during the convention.

ALTERNATIVES:

That Council for the Town of Pincher Creek accepts the report Alberta Municipalities 2024 Convention as information.

IMPLICATIONS/SUPPORT OF PAST STUDIES OR PLANS:

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FINANCIAL IMPLICATIONS:

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PUBLIC RELATIONS IMPLICATIONS:

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ATTACHMENTS:

None at this time.

CONCLUSION/SUMMARY:

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Signatures:

Department Head:

Konrad Dunbar

CAO:

Konrad Dunbar

