



CITY OF ST. ALBERT
CITY COUNCIL
MEETING MINUTES - FINAL

Monday, June 25, 2018

3:00 PM Council Chambers

Attendance (at start of meeting)

PRESENT:

Mayor Heron
Councillor Brodhead
Councillor Hansen
Councillor Hughes
Councillor Joly
Councillor MacKay
Councillor Watkins

STAFF

K. Scoble, City Manager
M. Bonnici, General Manager, Corporate Strategic
Services
I. McKay, General Manager, Infrastructure &
Development Services
D. McMordie, Director, Financial Services
G. Klenke, Solicitor and Chief Legislative Officer
M. Nordvedt, Deputy City Clerk
C. Wong, Legislative Officer

Adoption of Agenda

AR-18-248 Adoption of Agenda

Moved by Councillor MacKay
That the June 25, 2018 Agenda be adopted as amended
by moving "Presentations, Delegations, and

Announcements" prior to "Consent Agenda".

CARRIED UNANIMOUSLY

For: 7 - Heron, Brodhead, Hansen, Hughes, Joly,
MacKay, and Watkins

Adoption of Minutes

MIN-18-018

Regular Council Minutes of June 11, 2018

The following motion was approved on Consent Agenda:

"That the Regular Council Minutes of June 11, 2018 be adopted as presented."

Presentations, Delegations, and Announcements

Greg Schell, Greater St. Albert Catholic, spoke in opposition of the Electrical Franchise Fees.

Kyle Ferguson, Youth Advisory Committee, provided Council with the Committee's view on legalization of Cannabis, which included locations of cannabis retailers, consumption and education.

Eileen McClean, President of Pickle Ball, spoke in support of Active Communities.

Charlie Schroder, St. Albert Food Bank, spoke in support of Facility Development Collaboration.

Cathy Schwer, Dynamyx Gymnastics, spoke in support of a Memorandum of Understanding for Joint Gymnastics.

Jodie McFadzen, St. Albert Chamber of Commerce,

spoke in opposition of Electrical Franchise Fees.

Kim Armstrong, Chair, St. Albert Public School Board,
spoke in opposition of Electrical Franchise Fees.

Perry Cavanagh, President of the NE Sportsplex
Society, Calgary, provided the Society's experience with
operating a facility as a not for profit.

David Dorward, resident, spoke in support of Facility
Development Collaboration.

Martin Rudolf, resident, spoke in support of Active
Communities.

John Engel, Mission Fun and Games, spoke in
opposition of Electrical Franchise Fees.

Matt Bachewich, of Active Communities, spoke in
support of Active Communities.

Council recessed from 4:43 p.m. to 5:02 p.m.

Public Hearing - 5:00 P.M

PH-18-011 **Bylaw 12/2018 Amendment to Land Use Bylaw 9/2005 -
Cannabis (2nd & 3rd reading)**

Presented by: Jean Ehlers, Development Branch Manager

Mike Killick, resident, spoke in opposition of the Land
Use Bylaw regarding separation between cannabis retail
stores and rushing the approval of the Bylaw.

John Engel, Mission Fun and Games, spoke regarding

production facilities and separation between cannabis retail stores.

Moved by Councillor Brodhead

That the Public Hearing on Bylaw 12/2018 be closed.

CARRIED

For: 5 - Heron, Brodhead, Hansen, MacKay, and
Watkins

Against: 2 - Hughes, and Joly

Moved by Councillor Joly

That Bylaw 12/2018, Section 1 be amended by adding after “cannabis retail store” the following definition:

“provincial health care facility” means an approved hospital as defined in the Hospitals Act, RSA 2000, c. H-12

That Bylaw 12/2018, Section 2, be amended by deleting Section 6.5 Cannabis Retail Store, Sub-section (2) in its entirety, and replacing it with the following:

“(2) At the time of Development Permit application, the closest point of the proposed cannabis retail store must be located at least:

(a) 100m from the closest point of a parcel upon which a provincial health care facility is located;

(b) 150m from the closest point of a parcel upon which the following facilities are located:

i. an elementary or secondary school.

The main motion was presented again.

Moved by Councillor Hughes

That the main motion be amended to add “(c) 150m from the closest point of any licensed day care facility;”

DEFEATED

For: 2 - Hughes, and MacKay

Against: 5 - Heron, Brodhead, Hansen, Joly, and
Watkins

Moved by Councillor Joly

That Bylaw 12/2018, Section 1 be amended by adding
after “cannabis retail store” the following definition:

“provincial health care facility” means an approved hospital
as defined in the Hospitals Act, RSA 2000, c. H-12

That Bylaw 12/2018, Section 2, be amended by deleting
Section 6.5 Cannabis Retail Store, Sub-section (2) in its
entirety, and replacing it with the following:

“(2) At the time of Development Permit application,
the closest point of the proposed
cannabis retail store must be located at least:

(a) 100m from the closest point of a parcel
upon which a provincial health care facility is located;

(b) 150m from the closest point of a parcel
upon which the following facilities are located:

i. an elementary or secondary school.

CARRIED UNANIMOUSLY

For: 7 - Heron, Brodhead, Hansen, Hughes, Joly,
MacKay, and Watkins

Moved by Councillor Hughes

That Bylaw 12/2018, section 6.5, (1), is amended from
100m separation to 200 m separation from any other
Cannabis Retail Store.

DEFEATED

For: 3 - Brodhead, Hughes, and MacKay

Against: 4 - Heron, Hansen, Joly, and Watkins

Moved by Councillor Joly

That Section 1(a) of Bylaw 12/2018 be amended by changing the definition of "cannabis" to match the proposed cannabis consumption bylaw, which defines it as:

"Cannabis" has the meaning given to it in the Cannabis Act

"Cannabis Act" means Bill C-45, An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts, 1st Sess, 42nd Parl, 2017.

CARRIED UNANIMOUSLY

For: 7 - Heron, Brodhead, Hansen, Hughes, Joly, MacKay, and Watkins

Moved by Councillor Joly

That Bylaw 12/2018, Section 4 be amended as follows:

(a) Sub-section d) be deleted in its entirety and replaced with the following:

"Section 9.16, Boardwalk (BW) Land Use District, be amended by re-numbering "(3)(a) drinking establishment with up to 40 seats", to (3)(b), and by inserting "(3)(a) cannabis retail store with a gross floor area up to 280 sq. m."."

(b) Sub-section i) be deleted in its entirety and replaced with the following:

"Section 9.21, Regional Commercial (RC) Land Use District, be amended by:

- i. inserting after "(3)(b) business support service", "(3)(c) cannabis retail store"; and
- ii by deleting "(4)(f) cannabis retail store".

CARRIED

For: 6 - Heron, Brodhead, Hansen, Joly, MacKay, and Watkins

Against: 1 - Hughes

Moved by Councillor Hansen

That Bylaw 12/2018 be read a second time, as amended.

CARRIED UNANIMOUSLY

For: 7 - Heron, Brodhead, Hansen, Hughes, Joly,
Mackay, and Watkins

Presentations, Delegations, and Announcements

Mike Killick, resident, spoke regarding Active Communities and requested that the facility be built within the City of St. Albert boundaries.

Stewart Nelson, resident, spoke in support of Active Communities.

Kevin Porter, President of St. Albert Minor Hockey Association, spoke in support of Active Communities.

Consent Agenda

CA-18-018

Consent Agenda

Presented by: Kevin Scoble, City Manager

Moved by Councillor Joly

That the recommendations in the following agenda reports be approved:

4.1 Regular Council Minutes of June 11, 2018

7.1 Withdrawal from Alberta Bilingual Municipalities Association

8.3 RCMP - Request for Policing Increase

8.4 Approval of 10 Year Municipal RMR

8.5 Approval of 10 Year Utility RMR

8.7 Time Extension Request - Amendments to Bylaw 27/2018 - Idle Free Bylaw and Bylaw 29/2018 -

Amendments to Noise Bylaw

11.1 City Manager Delegation - Federal Grant Agreement

12.1 Information Items: Draft MOU for Gymnastics and
Campbell Road Park and Ride

CARRIED UNANIMOUSLY

For: 7 - Heron, Brodhead, Hansen, Hughes, Joly,
MacKay, and Watkins

Committee Business

CB-18-008 Withdrawal from Alberta Bilingual Municipalities Association
Presented by: Kevin Scoble, City Manager

The following motion was approved on Consent Agenda:

“That Council withdraw their membership to the Alberta
Bilingual Municipalities Association.”

Business Items

CM-18-045 **Memorandum of Understanding - Active Communities**
Notice given by: Councillor Hansen

Moved by Councillor Hansen

That a Memorandum of Understanding (MOU) be prepared
with Active Communities by July 4, 2018 that will serve to
support the concept of a Sport and Wellness Campus.

Further, that the MOU contain therein a statement that the
City of St. Albert has interest in providing \$20 million
towards the project, conditional on \$10 million in federal
funding and \$10 million in provincial government funding
being secured for the project.

That Active Communities work in collaboration with St.
Albert Soccer Association to explore solutions to shared
space.

WITHDRAWN

Council recessed from 7:03 p.m. to 7:15 p.m.

Moved by Councillor Hansen

That a Memorandum of Understanding (MOU) be executed with Active Communities by a mutually agreed date with Administration that will serve to support the concept of a Sport and Wellness Campus. Further, that the MOU contain therein a statement that the City of St. Albert has interest in providing up to \$20 million towards the project, conditional on \$10 million in federal funding and \$10 million in provincial government funding being secured for the project and further that the project is contingent upon a value for money assessment by an outside consultant to a maximum of \$10,000 from the Stabilization Fund.

Moved by Councillor Hughes

The main motion be amended to add a condition to the MOU "that the facility is built on land within the City of St. Albert."

CARRIED

For: 6 - Heron, Brodhead, Hughes, Joly, MacKay,
and Watkins

Against: 1 - Hansen

Moved by Councillor Hansen

That a Memorandum of Understanding (MOU) be executed with Active Communities by a mutually agreed date with Administration that will serve to support the concept of a Sport and Wellness Campus. Further, that the MOU contain therein a statement that the City of St. Albert has interest in providing up to \$20 million towards the project, conditional on \$10 million in federal funding and \$10 million in provincial government funding being secured for the project and further that the project is contingent upon a value for money assessment by an outside consultant to a maximum of \$10,000 from the Stabilization Fund and that

the facility is built on land within the City of St. Albert.

CARRIED

For: 6 - Heron, Brodhead, Hansen, Hughes,
MacKay, and Watkins

Against: 1 - Joly

AR-18-279 That the Regular Council Meeting of June 25, 2018 be extended past 7:30 p.m.

Moved by Councillor MacKay

That the Regular Council Meeting of June 25, 2018 be extended past 7:30 p.m.

CARRIED UNANIMOUSLY

For: 7 - Heron, Brodhead, Hansen, Hughes, Joly,
MacKay, and Watkins

AR-17-492 **Facility Development Collaborations**
Presented by: Anna Royer, Business Manager

Moved by Councillor Joly

That Administration continue to advance the existing MOU process with the St. Albert Soccer Association and the City of Edmonton with a lens on any evolving regional opportunities and provide an update back to Council by January 30, 2019;

That the current lease agreement with the Community Village/Food Bank be amended to extend the date of the current term to 2034, and to include first right of refusal for future lease negotiations;

That the Community Village/Food Bank be provided the funding transferred to the capital reserve as per PM113-2017 for the years 2017 and 2018 in the form of a capital grant to be used for building renovations;

That no further funding beyond the 2018 allocation be placed into the Community Village/Food Bank building

reserve fund; and

That capital project charters POLI-003 Beaudry Place Policing Renovations Warehouse Space and POLI-004 Beaudry Place Policing Renovations be removed and replaced with a new capital charter that identifies an alternative building accommodation plan and updated costs for future policing human resource needs to be considered for funding through the Council approved capital budget prioritization process.

CARRIED UNANIMOUSLY

For: 7 - Heron, Brodhead, Hansen, Hughes, Joly, MacKay, and Watkins

AR-18-062 **RCMP - Request for Policing Increase**

Presented by: Aaron Giesbrecht, Manager

The follow motion was approved on Consent Agenda:

“That in accordance with Article 5 of the Municipal Police Service Agreement, the Mayor be authorized to formally request the Federal Government to increase the RCMP authorized complement of the St. Albert RCMP Detachment by one (1) additional member for a total of seventy (70) members.”

AR-18-099 **Approval of 10 Year Municipal RMR Plan**

Presented by: Diane McMordie, Director of Financial Services

The following motions were approved on Consent Agenda:

“That the 10 Year Municipal RMR Capital Plan, provided as an attachment to the June 25, 2018 agenda report titled “Approval of 10 Year Municipal RMR Plan”, be approved.

That the following postponed motion be approved:

PM-02-2019

“That the 2019 RMR Municipal Capital Budget of 34 capital RMR projects be funded in the amount of \$28,302,600.””

AR-18-175 Approval of 10 Year Utility RMR Plan

Presented by: Diane McMordie, Director of Financial Services

The following motions were approved on Consent Agenda:

“That the 10 Year Utility RMR Capital Plan, provided as an attachment to the June 25, 2018 agenda report titled “Approval of the 10 Year Utility RMR Plan”, be approved.

That the following postponed motion be approved:

PM-03-2019

“That the 2019 Utility Municipal Capital Budget of 11 capital RMR projects be funded in the amount of \$8,839,000.”

AR-18-178 Electrical Franchise Fees

Presented by: Diane McMordie, Director of Financial Services

Moved by Councillor Brodhead

That the City of St. Albert introduce an electrical franchise fee on the 1st of each year as follows:

- a. 2019 - 5%
- b. 2020 - 2.5%
- c. 2021 - 2.5%

These fees are cumulative/incremental and will reach the final intended fee of 10% in January 2021;

That notice be provided to Fortis Alberta no later than October 1, 2018 of the City's intent to introduce a franchise fee of 5% effective January 1, 2019;

That Administration execute and complete all required documentation and advertising requirements to enable consideration of approval by the Alberta Utilities Commission;

That any required bylaw amendments are brought forth to Council at an appropriate time to enable the implementation of a franchise fee for January 1, 2019; and That City Council Policy C-FS-05 Budget and Taxation Guiding Principles, be amended by substituting the proposed City Council Policy C-FS-05 Budget and Taxation Guiding Principles (Amendments Incorporated), as shown in the Attachment to the June 25, 2018 agenda report entitled "Electrical Franchise Fees".

CARRIED

For: 4 - Heron, Brodhead, Hansen, and Joly

Against: 3 - Hughes, MacKay, and Watkins

AR-18-270 **Time Extension Request - Amendments to Bylaw 27/2018 - Idle Free Bylaw and Bylaw 29/2018 - Amendments to Noise Bylaw**

Presented by: Kevin Scoble

The following motion was approved on Consent Agenda:

“That the deadline extension for the following item be approved:

Amendments to Bylaw 27/2018 - Idle Free Bylaw and Bylaw 29/2018 - Amendments to Noise Bylaw - be extended from June 25, 2018 to September 10, 2018.”

Bylaws

BL-18-040 **Business Licence and Tobacco Retail Licensing Bylaws - Cannabis (1st, 2nd and 3rd reading)**

Presented by: Monty Killoh, Business Licensing Inspector

Moved by Councillor MacKay

That Bylaw 33/2018, being Amendment 19 to the Business License Bylaw 43/2000 be read a first time.

CARRIED UNANIMOUSLY

For: 7 - Heron, Brodhead, Hansen, Hughes, Joly,
MacKay, and Watkins

Moved Councillor MacKay
That Bylaw 33/2018 be read a second time.
CARRIED UNANIMOUSLY

For: 7 - Heron, Brodhead, Hansen, Hughes, Joly,
MacKay, and Watkins

Moved by Councillor Hansen
That unanimous consent be given for consideration of third
reading of Bylaw 33/2018.
CARRIED UNANIMOUSLY

For: 7 - Heron, Brodhead, Hansen, Hughes, Joly,
MacKay, and Watkins

Moved by Councillor MacKay
That Bylaw 33/2018 be read a third and final time.
CARRIED UNANIMOUSLY
For: 7 - Heron, Brodhead, Hansen, Hughes, Joly,
MacKay, and Watkins

Moved by Councillor MacKay
That Bylaw 34/2018, being Amendment 1 to the Tobacco
Retail Licensing Bylaw be read a first time.
CARRIED UNANIMOUSLY
For: 7 - Heron, Brodhead, Hansen, Hughes, Joly,
MacKay, and Watkins

Moved by Councillor MacKay
That Bylaw 34/2018 be read a second time.
CARRIED UNANIMOUSLY

For: 7 - Heron, Brodhead, Hansen, Hughes, Joly,
MacKay, and Watkins

Moved by Councillor Hansen

That unanimous consent be given for consideration of third reading of Bylaw 34/2018.

CARRIED UNANIMOUSLY

For: 7 - Heron, Brodhead, Hansen, Hughes, Joly,
MacKay, and Watkins

Moved by Councillor MacKay

That Bylaw 34/2018 be read a third and final time.

CARRIED UNANIMOUSLY

For: 7 - Heron, Brodhead, Hansen, Hughes, Joly,
MacKay, and Watkins

BL-18-026

Bylaw 30/2018 - Cannabis Consumption Bylaw and Bylaw 31/2018 Amendment to Smoking Bylaw 1/2004 re Cannabis (1st, 2nd and 3rd reading)

Presented by: Marta Caufield, Solicitor

Moved by Councillor Joly

That Council postpone consideration of 9.2 Bylaw 30/2018 – Cannabis Consumption Bylaw and Bylaw 31/2018 Amendment to Smoking Bylaw to a date set by Agenda Committee prior to September 30.

CARRIED

For: 6 - Heron, Brodhead, Hansen, Hughes, Joly,
and MacKay

Against: 1 - Watkins

Emergent Items

AR-18-276

City Manager Delegation - Federal Grant agreement

Presented by: Diane McMordie, Director of Financial Services

The following motions were approved on Consent Agenda:

“That the City Manager be authorized to execute a federal grant funding agreement with Transport Canada with an amount not to exceed \$500,000 for the “Railroad Safety Enhancement” project.

That on August 22, 2018, administration bring back amendments to Council Policy C-CAO-01 City Manager Delegation that allows for the City Manager to execute and sign grant/rebate agreements of any value for Council approved projects.”

Council Information Items

II-18-008

Information Items: Draft MOU for Gymnastics and Campbell Road Park and Ride

Presented by: K. Scoble, City Manager

The following motions were approved on Consent Agenda:

“The following information has been determined by the City Manager as "high interest" and is being provided to Council in a public forum:

Campbell Road Park & Ride Pricing Structure - This report provides an update on the Campbell Road Park & Ride Pricing Structure.

Draft MOU with Gymnastics - This report provides outcomes of joint discussions with gymnastics providers in St. Albert of potentially developing a joint Memorandum of Understanding for gymnastics planning in the community."

Information Requests / Notices of Motion / Announcements

Budget Information Request

What would be an estimated cost to pave a current

outdoor skating rink with drainage?

Notice of Motion - Councillor MacKay

That proposed Bylaw 30/2018 be amended to read:

Prohibition

Section 7 - "That except as permitted in this Bylaw, no person shall smoke, vape or consume cannabis in any public place."

Section 8 - deleting section 8.c and 8.d of the proposed Version 1

Notice of Motion - Councillor Joly

That medical cannabis users are exempt from restrictions.

In Camera

INC-17-069

Council/City Manager Dialogue

Presented by: K. Scoble, City Manager

Also in Attendance:

K. Scoble, City Manager (Information & Advice)

Moved by Councillor Hansen

That Council move in camera to have a confidential dialogue with the City Manager in accordance with the provisions of Section 24 - Advice from officials, of the Freedom of Information and Protection of Privacy Act (FOIP) R.S.A. 2000, C.F-25, as amended.

CARRIED UNANIMOUSLY

For: 7 - Heron, Brodhead, Hansen, Hughes, Joly, MacKay, and Watkins

Council went in camera at 9:56 p.m.

Moved by Councillor Joly

That Council reconvene in Public.

CARRIED UNANIMOUSLY

For: 7 - Heron, Brodhead, Hansen, Hughes, Joly,
MacKay, and Watkins

Council reconvened in public at 10:39 p.m.

Moved by Councillor Joly

That the details of the in camera discussion remain
confidential pursuant to Section 24 of the FOIP Act.

CARRIED UNANIMOUSLY

For: 7 - Heron, Brodhead, Hansen, Hughes, Joly,
MacKay, and Watkins

Adjournment

The Mayor declared the meeting adjourned at 10:39
p.m.

MAYOR

CHIEF LEGISLATIVE OFFICER