



TOWN OF HINTON REGULAR COUNCIL MEETING MINUTES Tuesday, March 15, 2022

COUNCIL PRESENT: Albert Ostashek, Brian LaBerge, Marcel Michaels, Ryan Maguhn, Trevor Haas, JoAnn Race, and Stuart Taylor

COUNCIL ABSENT: None

STAFF PRESENT: Debbi Weber, Planning & Development Manager, Heather Thomson, Legislative Coordinator, Jennifer Davey-Campbell, Executive Assistant, Heather Waye, Strategic Services Manager, Paul Hanlan, Interim CAO, Laura Howarth, Director of Community Services, Winston Rossouw, Director of Infrastructure & Development Services, Maurice de Beaudrap, Director of Protective Services, Ruth Boden, Finance Consultant

1. ORDER

The Town of Hinton respectfully acknowledges that it is located on Treaty 6 Territory and Métis Nation Region No. 4. These are the traditional territories and ancestral lands of Indigenous Peoples including the Plains Cree First Nations, Aseniwuche Winewak Rocky Mountain First Nations, Stoney, Tsuu T'ina, Nakota, Denesuline, Saulteaux, Mountain Métis, Michif, and many other communities that continue to enrich the land on which the Town of Hinton was established.

With this sentiment,

1.1 Call to Order

Mayor Michaels called the meeting to order at 4:00 p.m.

2. ADOPTION OF AGENDA

2.1 March 15, 2022, Regular Council Agenda

RC-220315.01

Councillor Brian LaBerge made a motion that Council accept the March 15, 2022, Regular Meeting Agenda as amended by the amendment to Closed Session, items two (2) Personnel Items.

Carried Unanimously.

3. COUNCIL MINUTES FOR ADOPTION

3.1 Committee of the Whole - February 22, 2022

RC-220315.02

Councillor Brian LaBerge made a motion that Council adopt the February 22, 2022, Committee of the Whole meeting minutes as amended by correcting the spelling of Councillor LaBerge's name.

Carried Unanimously

3.2 Regular Meeting of Council Minutes - March 1, 2022

RC-220315.03

Councillor Brian LaBerge made a motion that Council adopt the March 1, 2022, Regular Council meeting minutes as amended correcting the spelling of Councillor LaBerge's name and adding back in the recorded vote to each motion.

Carried Unanimously.

4. CITIZENS "MINUTE WITH COUNCIL"

4.1 *None Scheduled*

5. DELEGATIONS AND PRESENTATIONS

5.1 *None scheduled*

6. PUBLIC HEARING

6.1 Short-Term Rental Bylaw No.1162

Mayor Michaels advised the following Public Hearing is held pursuant to Section 692 of the *Municipal Government Act*, Being Chapter M-26, R.S.A., 2000 and amendments thereto.

Mayor Michaels advised of the following rules of conduct for this Public Hearing:

- 1) Presentations should be brief and to the point.
- 2) The order of presentation shall be:
 - a) entry of written submissions;
 - b) those supporting the Bylaw;
 - c) those opposing the Bylaw;
 - d) any other person deemed to be affected by the Bylaw.
- 3) Council may ask questions of the speakers after each presentation for clarification purposes.
- 4) There will be no debating the Bylaw; however, questions to the Councillors or other parties will be accepted through the Chair.

Mayor Michaels declared the Public Hearing relating to Bylaw No. 1162 open at 4:05 p.m.

Mayor Michaels asked Secretary the purpose of Bylaw 1162.

The Secretary responded purpose of the proposed Bylaw No. 1162 is to create municipal regulations around Short-Term Rentals

Mayor Michaels asked the Secretary when First Reading was given, and the dates the Notice of Public Hearing were advertised.

The secretary responded:

First reading was given to Bylaw No. 1162 on February 15, 2022.

Notice of this Public Hearing was advertised consecutively in the *Hinton Voice newspaper* on February 24 & March 3, 2022, as well as advertised on the Town of Hinton website, CivicSend, local radio, Facebook & key stakeholders.

Mayor Michaels requested the Planner present their report.

Planning presented their report.

Mayor Michaels inquired of the secretary if any written submissions had been received and if any late submissions relating to the Bylaw had been received.

Secretary responded fifteen (15) written submissions have been received and four (4) submissions had been received late.

The secretary read the four (4) late submissions into the record:

Josh Yawarski, Bernie Kreiner, B. Moore, Jacqueline Kappers.

Mayor Michaels called for anyone present who wishes to speak in favour of Bylaw No. 1162.

No response received.

Mayor Michaels called for anyone present who wishes to speak in opposition to Bylaw No. 1162, the following individuals spoke in opposition to the Bylaw.

1. Olga Uloth
2. Zahir Shivji (Zach)
3. Adam Dingman
4. Margaret Orr
5. Curtis Anderson
6. Andy Bates
7. Dean Harasymiw
8. Jessica Hearsey
9. Orien Major
10. Jacqueline Kappers
11. Bernie Kreiner

Mayor Michaels called for any other person deemed to be affected by the Bylaw and wishes to speak.

No responses received

Mayor Michaels inquired is they are there any further comments from administration.

No further comments received from administration.

Mayor Michaels inquired if they were any further questions?

No further questions received.

Mayor Michaels inquired if the Councillors require further information.

No further information required at this time, will speak to it at the reading of the Bylaw portion of agenda.

Mayor Michaels declared that the Public Hearing relating to Bylaw No. 1162 is closed at 5:46 p.m. and will accept a motion to adjourn.

Councillor Haas requested adjournment of the public hearing at 5:46 p.m. Mayor Michaels adjourned the public hearing.

7. OLD BUSINESS

7.1 Short-Term Rental Bylaw No. 1162 Second and Third Reading

RC-220315.04

Councillor Albert Ostashek made a motion that the Short-Term Rental Bylaw 1162 be brought to a Committee of the Whole meeting prior to the end of April 2022 for further discussion

Carried Unanimously

RC-220315.05

Councillor Ryan Maguhn made a motion that Council direct Administration to include Non-Principal Residence into the Draft Bylaw 1162.

Carried Unanimously

RC-220315.06

Councillor Albert Ostashek made a motion that Council direct Administration to incorporate a requirement for a non-resident STR Operator to have a named local property manager requirement in Draft Bylaw 1162.

Carried Unanimously

RC-220315.07

Councillor Stuart Taylor made a motion that Council direct Administration bring back more information on the hard wiring smoke and carbon monoxide detectors for Short Term Rentals.

Carried Unanimously

RC-220315.08

Councillor Stuart Taylor made a motion that Council direct Administration to bring back more information regarding off street parking requirements for Short Term Rentals

Carried Unanimously

RC-220315.09

Councillor Stuart Taylor made a motion that Council direct Administration to investigate combining existing Bylaws into Draft Bylaw No. 1162.

Carried Unanimously

RC-220315.10

Councillor Trevor Haas made a motion that Council direct Administration to remove 4.1 u) Display one (1) non-illuminated sign/sticker, on the exterior of the accommodation that is visible from the road, identifying the property as an approved short-term rental to the satisfaction of the Development Authority, from draft STR Bylaw 1162.

Defeated 2-5

(Opposed: Councillor Albert Ostashek, Councillor Brian LaBerge, Mayor Marcel Michaels, Councillor Ryan Maguhn, and Councillor JoAnn Race).

7.2 FortisAlberta - Renewal of Franchise Fee Agreement

RC-220315.11

Councillor Albert Ostashek made a motion that Council authorize the Interim Chief Administrative Officer to sign the "Renewal of Electric Franchise Agreement, dated (January 1, 2013) between FortisAlberta and the Town of Hinton" as dated November 21, 2022 (Attachment 1).

Carried Unanimously

RC-220315.12

Councillor Trevor Haas made a motion that Council agree to extend the meeting past 8:00 p.m.

Carried Unanimously

7.3 Hinton Golfing Society 2022 Proposed Operating Agreement

RC-220315.13

Councillor Stuart Taylor made a motion that Council direct Administration to add a termination clause for potential sale to the Hinton Golfing Society Operating Agreement 2022-2024 at the sole direction of Council providing adequate notice.

Carried 6-1

(Opposed: Mayor Marcel Michaels).

RC-220315.14

Councillor Albert Ostashek made a motion that Council direct Administration to enter into the Hinton Golfing Society Operating Agreement 2022-2024 for the operation of the Hinton golf course, with the suggested amendments.

Carried Unanimously

7.4 Council Representation on Hinton Golfing and Hinton Historical Societies - MD-2378 & 2380

RC-220315.15

Councillor Trevor Haas made a motion that Council appoint Councillor Taylor and Councillor Race as the alternate to the Hinton Historical Society Board as a nonvoting member.

Carried Unanimously

RC-220315.16

Councillor Trevor Haas made a motion that Council Accept the Council Representation on Hinton Golfing Society report for information.

Carried Unanimously.

RC-220315.17

Councillor Trevor Haas made a motion that Council move into closed session at 8:55 p.m.

Carried Unanimously

RC-220315.18

Councillor Trevor Haas made a motion that Council return to open session at 9:33 p.m.

Carried Unanimously.

8. NEW BUSINESS

- 8.1 Appointment of Financial reviewer and Signatory for the Town of Hinton Library Board Financial Reports

RC-220315.19

Councillor Ryan Maguhn made a motion that Council appoint JDP Wasserman & Associates, for the duration of their contract with the Town of Hinton, as Reviewer of Financial Reports & Signatory for the Town of Hinton Library Board to perform the duties of the appointment as defined in the Libraries Act.

Carried Unanimously.

9. REPORTING

- 9.1 Council Reports - Boards and Committees
Council provided updates on meetings attended
- 9.2 Chief Administrative Officer Update
ICAO Hanlan provided an update on operations.

10. CORRESPONDENCE

- 10.1 TransMountain - Socio-Economic Impacts of Construction
Yellowhead Region Highlights

RC-220315.20

Councillor Trevor Haas made a motion that Council accept the TransMountain Yellowhead region Highlights document as information.

Carried Unanimously

11. NOTICES OF MOTION

- 11.1 *None scheduled*

12. CLOSED SESSION

Section 197(2) of the Municipal Government Act specifies that a Council may close all or part of a meeting to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of FOIPP. The exceptions include matters where disclosures could be harmful to personal privacy, individual or public safety, law enforcement, intergovernmental relations, or economic or other interests. No Bylaw or resolution can be passed at a closed meeting except a resolution to revert to the open Council meeting in public or to recess.

- 12.1 Motion to move into Closed Session

ICAO Hanlan attended closed session with Council

RC-220315.21

Councillor Ryan Maguhn made a motion that Council agree to move into closed session at 9:46 p.m.

Carried Unanimously

RC-220315.22

Councillor Ryan Maguhn made a motion that Council agree to move out of Closed Session at 9:53 p.m.

Carried Unanimously.

RC-220315.23

Councillor Albert Ostashek made a motion that Council agree to move item 12.4 Hinton Golf Course Lands Draft Agreement related to FOIP Section 25 (1) Disclosure harmful to economic and other interests of a public body to item in Closed Session to 12.2.

Carried Unanimously.

RC-220315.24

Councillor Ryan Maguhn made a motion that Council agree to move into closed session at 9:54 p.m.

Carried Unanimously.

RC-220315.25

Councillor Brian LaBerge made a motion that Council agree to return to open session at 11:20 p.m.

Carried Unanimously

RC-220315.26

Councillor Trevor Haas made a motion that Council agree to return open session at 11:29 p.m.

Carried Unanimously.

RC-220315.27

Councillor Brian LaBerge made a motion that Council return to Open Session at 11:54 p.m.

Carried Unanimously.

13. MOTIONS ARISING FROM CLOSED SESSION

- 13.1 Hinton Golf Course Lands Draft Agreement related to FOIP Section 25 (1) Disclosure harmful to economic and other interests of a public body

RC-220315.28

Councillor Trevor Haas made a motion that Council direct Administration to enter into the Hinton Golf Course Lands Agreement with suggested changes.

Carried Unanimously

- 13.2 One Personal Item related to FOIP Section 17(1) disclosure harmful to personal privacy

RC-220315.29

Councillor Brian LaBerge made a motion that Council authorize Mayor Michaels to sign the letter to CAO Emily Olsen dated March 17, 2022, as presented to Council.

Carried 5-2

(Opposed: Councillor JoAnn Race and Councillor Stuart Taylor).


14. ADJOURNMENT

14.1 Adjournment of Meeting


RC-220315.30

Councillor Brian LaBerge made a motion That the Regular Meeting of Council is adjourned at 11:54 p.m.

Carried Unanimously



Interim CAO



Mayor