



REGULAR MEETING OF COUNCIL
Held on Monday March 12, 2018 in the
Town Hall Council Chambers, commencing at 6:00 p.m.

IN ATTENDANCE: Mayor: D. Anderberg
Councillors: L. Jackson, S. Korbett, M. Barber and S. O'Rourke
Absent with Regrets W. Elliott and B. McGillivray
Staff: L. Wilgosh, Chief Administrative Officer and L. Goss, Administrative Manager

1. CALL TO ORDER

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

2. SCHEDULED PUBLIC HEARING

3. AGENDA APPROVAL

BARBER:

That Council for the Town of Pincher Creek approves the March 12, 2018 agenda as presented.

CARRIED 18-113

4. DELEGATIONS

5. ADOPTION OF MINUTES

5.1 Minutes of the Regular Meeting of Council held on March 7, 2018

BARBER:

That Council for the Town of Pincher Creek approves the Minutes of the Regular Meeting of Council held on March 7, 2018 as presented.

CARRIED 18-114

6. BUSINESS ARISING FROM THE MINUTES

6.1 Disposition of Delegation – Heritage Acres – Mark Barber

JACKSON:

That Council for the Town of Pincher Creek receives the presentation made on February 26, 2018 by Executive Director Mark Barber on behalf of Heritage Acres as information.

CARRIED 18-115

6.2 Disposition of Delegation – Snow – Max and Ianthe Goodfellow

BARBER:

That Council for the Town of Pincher Creek receive as information the March 7, 2018 presentation from Ianthe Goodfellow regarding concerns of snow damage to the flower bed located at the Golf Course entrance and that this matter be referred to the Operations Committee to review snow removal practices in the area and that the Operations Department assess the flower bed and boulevard area in the spring for any damages.

FURTHER

That Council for the Town of Pincher Creek direct administration to forward a letter of thanks to Max and Ianthe Goodfellow thanking them for their continued contributions.

CARRIED 18-116

6.3 Disposition of Delegation – Curling Club – Jessie Nelson

KORBETT:

That Council for the Town of Pincher Creek receive as information the March 7, 2018 presentation from Jessie Nelson, representative from the Pincher Creek Curling Club regarding current usage of the curling rink facility.

CARRIED 18-117

6.4 Canada Day Fireworks Funding

BARBER:

That Council for the Town of Pincher Creek recommend that administration proceed with fireworks for the July 1, 2018 Canada Day celebration and that up to \$7,150 be allocated from the Program Reserve 7104004710.

CARRIED 18-118

7. BYLAWS

7.1 Land Use Bylaw Amendment 1547-AD

JACKSON:

That Council for the Town of Pincher Creek agree to give Bylaw 1547-AD, amending the Land Use Bylaw 1547 first reading.

CARRIED 18-119

KORBETT:

That Council for the Town of Pincher Creek agree to hold a Public Hearing on Bylaw 1547-AD amending the Land Use Bylaw on April 9, 2018 before consideration of second and/or third reading.

CARRIED 18-120

7.2 Council Code of Conduct Bylaw 1622-18

JACKSON:

That Council for the Town of Pincher Creek agree to give second reading to Council Code of Conduct Bylaw 1622-18.

CARRIED 18-121

O'ROURKE:

That Council for the Town of Pincher Creek agree to give third and final reading to Council Code of Conduct Bylaw 1622-18 and that a copy of which be attached hereto and form part of the minutes.

CARRIED 18-122

8. NEW BUSINESS

8.1 Provincial Transportation System – Request for Support

JACKSON:

That Council for the Town of Pincher Creek accept the request for letter of support regarding a systems approach for regional transportation system, from the Lethbridge Chamber of Commerce as information and direct administration to request further information from the Lethbridge Chamber of Commerce.

CARRIED 18-123

9. COUNCIL REPORTS:

| | | |
|------------------------------|--|--|
| BARBER | March 7 March 8 | Regular Council Joint Council |
| JACKSON | March 7 March 8 | Regular Council Joint Council |
| O'ROURKE | March 7 March 8 March 8 | Regular Council Daycare Committee Joint Council |
| KORBETT | February 26 February 27 March 1 March 1 March 7 March 8 | Regular Council Budget Committee Facility Tour Budget Committee Alberta SouthWest Joint Council |
| <u>Mayor's Report</u> | | |
| ANDERBERG | March 7 March 8 March 8 | Regular Council Daycare Committee Joint Council |

BARBER:

That Council for the Town of Pincher Creek accepts the Mayor and Council reports for March 12, 2018 as information.

CARRIED 18-124

10. ADMINISTRATION

10.1 Council Information Distribution List

JACKSON:

That Council for the Town of Pincher Creek accept the March 12, 2018 Council Information Distribution List as information.

CARRIED 18-125

Mayor Anderberg called a recess at 6:48 pm.
Mayor Anderberg called the meeting back to order at 6:54 pm.

11. IN CAMERA DISCUSSION

JACKSON:

That Council for the Town of Pincher Creek agree to move to an "In Camera" session of Council on Monday March 12, 2018 at 6:54 pm with the Chief Administrative Officer and Administrative Manager in attendance.

CARRIED 18-126

KORBETT:

That Council for the Town of Pincher Creek agree to move out of an "In Camera" session of Council on Monday March 12, 2018 at 7:01 pm.

CARRIED 18-127

KORBETT:

That Council for the Town of Pincher Creek agree to move to an "In Camera" session of Council on Monday March 12, 2018 at 7:02 pm with the Chief Administrative Officer, Administrative Manager and Kelly Bonet in attendance.

CARRIED 18-128

Kelly Bonet left the meeting at 7:57 pm.

BARBER:

That Council for the Town of Pincher Creek agree to move out of an "In Camera" session of Council on Wednesday March 7, 2018 at 8:28 pm.

CARRIED 18-129

11.1 Legal – Humane Society – FOIP Section 16

JACKSON:

That Council for the Town of Pincher Creek refer the Humane Society to the April 4, 2018 regular meeting of Council.

CARRIED 18-130

11.2 Labor – CUPE Collective Agreement – FOIP Section 16

BARBER:

That Council for the Town of Pincher Creek provide the municipal information requested to John Szumlas, Town union contract negotiator.

CARRIED 18-131

11.3 Land – Sewage Lagoon Engineering Plan – FOIP Section 16

KORBETT:

That Council for the Town of Pincher Creek agree that the Director of Operations and Talbera Technologies, work with MPE Engineering to develop a preliminary feasibility study for a sewage system connection from the hamlet of Beaver Mines to the Town of Pincher Creek system, with costs not to exceed \$1500.

CARRIED 18-132



12. NOTICE OF MOTION

KORBETT That the Landfill Incinerator be brought forward for discussion at the March 26, 2018 regular Council meeting.

13. ADJOURNMENT

JACKSON:

That this meeting of Council on March 12, 2018 be hereby adjourned at 8:34 pm.

CARRIED 18-133



MAYOR, D. Anderberg



CAO, L. Wilgosh

**APPROVED BY RESOLUTION
OF THE COUNCIL OF THE
TOWN OF PINCHER CREEK,
THIS 26th DAY OF MARCH, 2018**

S E A L

**NEXT REGULAR MEETING OF COUNCIL TO BE HELD ON MONDAY MARCH 26, 2018
AT 8:00 P.M.**



**BYLAW NO. 1622-18
OF THE TOWN OF PINCHER CREEK
IN THE PROVINCE OF ALBERTA**

BEING A BYLAW OF THE TOWN OF PINCHER CREEK IN THE PROVINCE OF ALBERTA, TO ESTABLISH A CODE OF CONDUCT FOR MEMBERS OF COUNCIL, COUNCIL COMMITTEES AND OTHER BODIES ESTABLISHED BY THE COUNCIL;

WHEREAS Section 3 of the Municipal Government Act states the purposes of a municipality.

WHEREAS Section 145(b) of the Municipal Government Act states that "A council may pass bylaws in relation to the procedure and conduct of council, council committees and other bodies established by council, the conduct of councillors and the conduct of members of council committees and other bodies established by the council."

WHEREAS Section 153(b) of the Municipal Government Act states the general duties of councillors.

WHEREAS the Council for the Town of Pincher Creek wishes to enact a bylaw to provide for a Code of Conduct for Members of Council, Council Committees and other Bodies Established by the Council;

NOW THEREFOR the Council for the Town of Pincher Creek in the Province of Alberta enacts as follows:

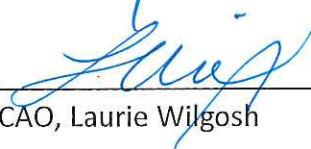
1. That the Municipal Council Code of Conduct for Members of Council, Council Committees and Other Bodies Established by the Council, Schedule "A", attached hereto and forming part of this Bylaw be adopted;
2. That the Procedure for Council Code of Conduct – Breaches and Sanctions, Schedule "B", attached hereto and forming part of this Bylaw be adopted;
3. This Bylaw may be referred to as the "Council Code of Conduct Bylaw".
4. This Bylaw comes into full force and effect when it has received third (3rd) reading and has been signed in accordance with the Municipal Government Act.



READ A FIRST TIME THIS 26 DAY OF FEBRUARY, 2018, A.D.



Mayor, Don Anderberg



CAO, Laurie Wilgosh

READ A SECOND TIME THIS 12 DAY OF MARCH, 2018, A.D.



Mayor, Don Anderberg



CAO, Laurie Wilgosh

READ A THIRD TIME THIS 12 DAY OF MARCH, 2018, A.D.



Mayor, Don Anderberg



CAO, Laurie Wilgosh



Schedule A

1. Council Representation:
 - a) Municipal Councilors, which include the Mayor are the elected Officials and governing body of the Town of Pincher Creek, whose role and responsibility is to represent the municipality.
 - b) The Mayor is the official voice of the Municipality and all of Council must recognize that they will be called to communicate on behalf of the Town of Pincher Creek.
 - c) Members of Council must at all times respect the decision making process of the municipality as provided in the Procedural Bylaw # 1596-17 and amendments thereto.
 - d) Members of Council must be mindful of and adhere to the approved Policies, Procedures and Bylaws of the Town of Pincher Creek.
 - e) Council member interactions must be respectful at all times with other councilors, municipal staff, members of the public and others.
 - f) Council members will be provided and privy to confidential information which must remain confidential until such time as Council business requires it to be made public, and must otherwise be vigilant to keep the information confidential permanently.
 - g) Council members must be vigilant to avoid any perception or actual activity which may be seen as a Conflict of Interest, with Council business. As a municipal representative, the municipal organization's best interest must always be a councilor's priority.
 - h) Council members must never use their influence as the elected representative for personal advantage.
 - i) Council members must be responsible stewards of the municipal assets and services, and abstain from seeking personal benefit of same.
 - j) Council members will be offered an orientation within 90 days of being elected to municipal council, and will be expected to avail themselves of that opportunity, in order to gain knowledge about the municipality and their respective roles and responsibilities.
 - k) Council members must recognize the role of administration and respect the position of the Chief Administrative Officer as head of the municipal staff.

Schedule B

Council Code of Conduct – Breaches and Sanctions

Complaint process:

Organizations or individuals (including the public, Council Members or Municipal Employees;

- Who have identified or witnessed any prohibited activity by a Town Council member
- Who have witnessed or experienced discriminatory treatment by a Council member
- Who have witnessed or experienced harassment by a Council member, all under this Code of Conduct, may address the behavior or activity as follows:

Provide a letter outlining the complaint, with any witnesses or proof of allegation to the Mayor of Pincher Creek. If the complaint is regarding the Mayor, the complaint should be provided in confidence to the Deputy Mayor. A review and investigation into the allegation of misconduct must take place within 40 days following the initial complaint. If the complaint is found to be valid, the following sanction(s) may be imposed by a resolution of Council:

- a) A letter of reprimand addressed to the Council member, citing the resolution number of council,
- b) A request to the Council member for a verbal or formal letter of apology to be provided to the complainant
- c) A publication of a letter of reprimand or request for apology from Council to the offending member of Council, with a copy of the written apology
- d) A requirement as directed by Council for the offending member of Council to attend appropriate training
- e) A suspension or removal of the appointment of the Council member as the Chief Elected Official under section 150(2) of the M.G.A.
- f) A suspension or removal of the appointment of a councilor as the deputy chief elected official or acting chief elected official of section 152 of the M.G.A,
- g) A suspension or removal of the chief elected official's presiding duties under section 154 of the M.G.A.
- h) A suspension or removal from some or all Council committees and organizations that Council has a right to be appointed
- i) A reduction or suspension of remuneration as per section 275.1 of the M.G.A. corresponding to the reduction in duties, with the exception of remuneration for Council meeting attendance
- j) In addition, Town Council may choose to report the misconduct to Alberta Municipal Affairs
- k) The complainant may choose to file a complaint with Alberta Human Rights

The sanctions above may not include disqualification of the offending Town Council Member. Retaliation against the complainant will not be tolerated and may be subject to further consequences

Bylaw 1622-18

The Code of Conduct will be reviewed by Town Council at a minimum of every four years, following the municipal election.

I have read and fully understand the contents of the Town of Pincher Creek Council Code of Conduct.

Member's Name _____

Members Signature _____

Date _____

Member's Name _____

Members Signature _____

Date _____

Member's Name _____

Members Signature _____

Date _____

Member's Name _____

Members Signature _____

Date _____

Member's Name _____

Members Signature _____

Date _____

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Member's Name _____

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Date _____