

**MINUTES: OF THE EIGHTEENTH REGULAR MEETING OF COUNCIL,
2017/2018 HELD IN COUNCIL CHAMBERS ON TUESDAY,
OCTOBER 9, 2018**

COUNCIL: DENNIS CASSIE MAYOR
HEATHER CALDWELL DEPUTY MAYOR
BARBARA EDGECOMBE-GREEN COUNCILLOR
RON LAGEMAAT COUNCILLOR

STAFF: KIM HAUTA CHIEF ADMINISTRATIVE OFFICER
KEVIN LEWIS DIRECTOR OF OPERATIONS
LEDA KOZAK TITTSWORTH DEVELOPMENT OFFICER

DELEGATES: DIANE HORVATH TOWN PLANNER

PUBLIC HEARING: DARWYN "SKIFTY" BORTHWICK
BETH BARCLAY
WINNIE GREEN
LAWRENCE WATMOUGH
STAN REYNOLDS
LISA VAN VLIET

Public Hearing

Mayor Cassie called the Public Hearing to order at 7:00 p.m.

M#5609-18 Mayor Cassie moved that the Council of the Town of Coalhurst hereby go into a Public Hearing for the purpose of considering proposed Bylaw No. 402-18 - Land Use Bylaw Amendment and proposed Bylaw No. 401-18 – Cannabis Consumption Bylaw. Carried Unanimously

Councillor Elizabeth Christensen entered the Council Chambers at 7:04 p.m.

- The purpose of the Hearing is to allow public input into proposed Bylaw No. 402-18, being a Bylaw to amend Land Use Bylaw No. 354-12, by:
 - Adding minimum requirements and standards applicable to Retail Cannabis Stores that will be considered by Town Council in making a decision on a development permit application for such uses
 - That the use "Retail Cannabis Store" be added as a discretionary use to the "Commercial – C" and "Business Industrial – BI" land use districts in Schedule 2
 - Adding definitions to Schedule 7 for Cannabis, Cannabis Accessory, and Retail Cannabis Stores;
- and;
to allow public input into proposed Bylaw No. 401-18 being a Bylaw to restrict the consumption of Cannabis in public places.

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- The Hearing is being held under the authority of the Municipal Government Act.
- The rules and procedures that will be used at the Hearing.

Chief Administrative Officer Hauta provided a compliance report for Bylaw No. 402-18:

- Bylaw No. 402-18 was given first reading on September 11, 2018.
- Notice of the Public Hearing was mailed to every residence within the Town of Coalhurst. In addition, the notice was posted in the October Town News, posted on the Town's web site, posted on the Town's social media sites, posted on the Electronic Message Centre located at the Town Administration Office and posted on a bulletin board at the Town Administration Office.
- Advertising was done in accordance with the Municipal Government Act and the Town of Coalhurst Land Use Bylaw.
- No submissions either for or against the proposed amendments to the Land Use Bylaw were received.

Public Response

- Town Planner Horvath provided a brief overview of the proposed Bylaw and changes to the existing Land Use Bylaw.
- Those individuals who were in attendance, and who wished to, were invited to speak one at a time.
- Summary of verbal points raised:
 - Distance from residential
 - Do not need a retail cannabis store in Town
 - 18 year olds are legal to purchase
 - Rural crime is bad enough
 - Family friendly Town
 - Message portrayed is that the use of cannabis is alright
 - No positives in having a store in Town
 - Where can a store be located now or in the future
 - Proximity of liquor stores to cannabis stores
 - Protect youth in the community – keep away from high school

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- Consider regulation of hours of operation

Chief Administrative Officer Hauta provided a compliance report for Bylaw No. 401-18:

- Bylaw No. 401-18 was given first reading on September 11, 2018.
- Notice of the Public Hearing was mailed to every residence within the Town of Coalhurst. In addition, the notice was posted in the October Town News, posted on the Town's web site, posted on the Town's social media sites, posted on the Electronic Message Centre located at the Town Administration Office and posted on a bulletin board at the Town Administration Office.
- Advertising was done in accordance with the Municipal Government Act and the Town of Coalhurst Land Use Bylaw.
- One written submission in regards to the Cannabis Consumption Bylaw was received and was read aloud by Chief Administrative Officer Hauta.

Public Response

- Town Planner Horvath provided a brief overview of the proposed Bylaw.
- Those individuals who were in attendance, and who wished to, were invited to speak one at a time.
- Summary of verbal points raised:
 - Can only be consumed on private property
 - Can we designate an area for public consumption
 - Similar to alcohol or smoking consumption
 - How do we protect ourselves from neighbour properties
 - How enforceable will this Bylaw be
 - Main concern is for youth exposure
 - Do fines need to be higher
 - What about medicinal provision
 - Effect on individuals with health conditions

Mayor Cassie advised those present that:

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1. Council will be discussing the Bylaws and all the information presented at the Public Hearing.
2. Only those Council members present at the Public Hearing will take part in the decision.

M#5610-18 Mayor Cassie moved that the Council of the Town of Coalhurst close the Public Hearing at 7:59 p.m. Carried Unanimously

Mr. Borthwick, Mrs. Barclay, Ms. Green, Mr. Watmough and Ms. van Vliet left the Council Chambers at 7:59 p.m.

EIGHTEENTH REGULAR MEETING

Mayor Cassie called the meeting to order at 8:00 p.m. and Councillor Lagemaat gave the opening prayer.

M#5611-18 Mayor Cassie moved the adoption of the Minutes of the Seventeenth Regular Meeting held September 11, 2018. Carried Unanimously

M#5612-18 Mayor Cassie moved the adoption of the agenda as circulated, with the following amendments:
move: 10.a. ii. Bylaw No. 401-18 – Cannabis Consumption Bylaw before
8.a. Director of Operations Report
move: 10.a.iii. Bylaw No. 402-18 – Land Use Bylaw Amendment before
8.a. Director of Operations Report Carried Unanimously

BY-LAWS/REPORTS

The following reports were received and reviewed by Council:

1. Bylaws

- a. Bylaw No. 401-18: Cannabis Consumption Bylaw

M#5613-18 Councillor Lagemaat moved to amend Bylaw No. 401-18, Cannabis Consumption Bylaw, to increase the specified fine to \$200.00 and include a provision that subsequent offences within one (1) year will increase by \$100.00 per offence. Carried
For: Mayor Cassie, Councillor Christensen, Councillor Edgecombe-Green, Councillor Lagemaat
Against: Deputy Mayor Caldwell

M#5614-18 Councillor Lagemaat moved that Bylaw No. 401-18, Cannabis Consumption Bylaw, as amended, is hereby read a second time. Carried
For: Mayor Cassie, Councillor Christensen, Councillor Edgecombe-Green, Councillor Lagemaat
Against: Deputy Mayor Caldwell

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M#5615-18 Councillor Edgecombe-Green moved that Bylaw No. 401-18, Cannabis Consumption Bylaw, as amended, be given third and final reading and that the Mayor and Chief Administrative Officer be authorized to sign and seal the Bylaw. Carried Unanimously

b. Bylaw No. 402-18: Land Use Bylaw Amendment

M#5616-18 Councillor Lagemaat moved to amend Bylaw No. 402-18, Land Use Bylaw Amendment, to specify the hours of operation for a Retail Cannabis Store to be after 5:00 p.m. Defeated
For: Councillor Lagemaat
Against: Mayor Cassie, Deputy Mayor Caldwell, Councillor Christensen, Councillor Edgecombe-Green,

M#5617-18 Councillor Christensen moved to amend Bylaw No. 402-18, Land Use Bylaw Amendment, Schedule “A”, Section 15.2, to state within 150 m (492 ft.) of another retail cannabis store or liquor store. Defeated
For: Councillor Christensen, Councillor Edgecombe-Green
Against: Mayor Cassie, Deputy Mayor Caldwell, Councillor Lagemaat

M#5618-18 Councillor Edgecombe-Green moved to amend Bylaw No. 402-18, Land Use Bylaw Amendment, Schedule “A”, to add a provision that the Municipal Subdivision and Development Authority may regulate the hours of operation of a Retail Cannabis Store. Carried Unanimously

M#5619-18 Deputy Mayor Caldwell moved that Bylaw No. 402-18, Land Use Bylaw Amendment, as amended, is hereby read a second time. Carried Unanimously

M#5620-18 Councillor Edgecombe-Green moved that Bylaw No. 402-18, Land Use Bylaw Amendment, as amended, be given third and final reading and that the Mayor and Chief Administrative Officer be authorized to sign and seal the Bylaw. Carried Unanimously

Development Officer Tittsworth and Town Planner Horvath left the Council Chambers at 8:45 p.m.

BY-LAWS/REPORTS

The following reports were received and reviewed by Council:

1. **CAO Report:**

Director of Operations Lewis presented a written report to Council.

i. Director of Operations

- Street Light Estimate
- Coin Operated Showers at Campground

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- Water and Wastewater Future Growth Study
- Water Meter Repair Policy

M#5621-18 Councillor Christensen moved that the Council of the Town of Coalhurst hereby refer the drafting of a policy on a procedure for access for water meter repairs to the Policy/Bylaw Review Committee for further consideration. Carried Unanimously

Director of Operations Lewis and Mr. Reynolds left the Council Chambers at 9:12 p.m.

Mr. Reynolds returned to the Council Chambers at 9:15 p.m.

BY-LAWS/REPORTS

The following reports were received and reviewed by Council:

1. Bylaws

- a. Bylaw No. 400-18: Public Notification Bylaw

M#5622-18 Deputy Mayor Caldwell moved that Bylaw No. 400-18, Public Notification Bylaw, is hereby read a first time. Carried Unanimously

M#5623-18 Councillor Christensen moved that Bylaw No. 400-18 is hereby read a second time. Carried Unanimously

M#5624-18 Councillor Lagemaat moved that Bylaw No. 400-18 be given three readings at this meeting. Carried Unanimously

M#5625-18 Councillor Edgecombe-Green moved that Bylaw No. 400-18, Public Notification Bylaw, be given third and final reading and that the Mayor and Chief Administrative Officer be authorized to sign and seal the Bylaw. Carried Unanimously

2. Committee Minutes:

- a. Policy/Bylaw Review Committee: held September 10, 2018

M#5626-18 Councillor Christensen moved that the Council of the Town of Coalhurst hereby approve Policy No. 41-02-03 – Discontinuation of Water Service for implementation, as presented by Chief Administrative Officer Hauta. Carried Unanimously

M#5627-18 Councillor Christensen moved that Chief Administrative Officer Hauta be authorized to draft a Recreational Marijuana Policy, for consideration and implementation by the Council of the Town of Coalhurst. Carried Unanimously

- b. Municipal Subdivision and Development Authority: held September 18, 2018

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c. Strategic Planning Session: held September 18 & 19, 2018

M#5628-18 Councillor Christensen moved that the Committee Minutes presented in this meeting are accepted. Carried Unanimously

3. Internal Reports:

a. Miners Memorial Park Campground Report 2018: a report for the 2018 year showed an increase of 67 campers from 2017 to a total of 299.

M#5629-18 Councillor Christensen moved that the Internal Reports presented in this meeting are accepted. Carried Unanimously

OTHER BUSINESS

a. Volker Stevin Highways Ltd.: Contract Agreement

M#5630-18 Deputy Mayor Caldwell moved that Mayor Cassie and Chief Administrative Officer Hauta are hereby authorized to sign a renewal of the Contract Agreement between Volker Stevin Highways Ltd. and the Town of Coalhurst, in accordance with the terms and conditions as contained in the Agreement. Carried Unanimously

ADJOURNMENT

M#5631-18 Mayor Cassie moved the meeting adjourned at 9:59 p.m. Carried Unanimously

Mayor

Chief Administrative Officer