

# TOWN OF MORDEN

## Regular Meeting

March 10, 2008

Minutes of the Regular Meeting of the Council of the Town of Morden held in the Council Chambers at Morden, Manitoba this 10th day of March, A.D. 2008 at 7:00 P.M..

- 1. Present** **Present:** Mayor Doug Wilson, Councillors Irvin Wiebe, Maurice Butler, Ron Lavery, Brian Hildebrand and Wayne Hosea  
**Absent with Regrets:** Councillor Alex Fedorchuk and Youth Member Lincoln Neufeld

- 2. Minutes** **MOVED BY COUNCILLOR MAURICE BUTLER  
SECONDED BY COUNCILLOR IRVIN WIEBE  
BE IT RESOLVED** that the minutes of the Regular Meeting of the Council of the Town of Morden held on the 25th day of February 2008 be adopted as circulated, all Statutory requirements having been fulfilled.

(Carried)

- 3. RECOGNITION OF INDIVIDUALS AND/OR ORGANIZATION**

- 4. Agenda Additions** **MOVED BY COUNCILLOR BRIAN HILDEBRAND  
SECONDED BY COUNCILLOR RON LAVERTY  
BE IT RESOLVED** that the Council of the Town of Morden agree to waive the provisions of Rule 64 as set out in Procedure By-law No. 19-97 to introduce notice to discuss the following:

- Superior Propane Agreement
- MB Ethnocultural Advisory reception – March 25/08
- Ledcor Pipeline Limited Agreement

(Carried)

- 5. HEARING OF DELEGATIONS**

- 6. PUBLIC HEARINGS – 7:10P.M.**

**Explanation of Process** – read by the Director of Finance & Administration

*Mayor Wilson declared an interest in items 6.1 & 6.2 and left meeting, Councillor Wiebe chaired the hearing.*

- 6.1 CO 3-08** - applicant A & T Sales & Construction Ltd; to construct a multi-family dwelling in a “CC” zone (607 Stephen St) - reconvene

- 6.2 VO 1-08** - applicant A & T Sales & Construction Ltd; to vary the minimum site area/front yard/east yard/west yard/rear yard and lot width requirements to allow for the construction of a multi-family dwelling.

Close  
Meeting

**6.2.1 MOVED BY COUNCILLOR MAURICE BUTLER  
SECONDED BY COUNCILLOR BRIAN HILDEBRAND  
BE IT RESOLVED** that the Regular meeting of Council be closed to reconvene as a Planning Hearing to consider Conditional Use Order 3-2008 and further that the hearing also include consideration for Variation Order No. 1-2008.  
(Carried)

The Presiding Officer called the Public Hearing to order to hear representation regarding Variation Order 1-2008 as submitted by A & T Sales & Construction Ltd for Lots 21/23, Block 32, Plan 863 MLTO in the Town of Morden.

The proposal as outlined in the Notice of Public Hearing was mailed as required by Section 169(2)(3) of the Planning Act to applicant and to the surrounding property owners of the affected property by regular mail on February 15<sup>th</sup>, 2008 and posted in the Town of Morden Administration office on February 15<sup>th</sup>, 2008.

The administration office made reference to the written representation received regarding the variation application.

Applicant, Abe Thiessen reported he felt the presented plan would fit on the lot. The original plan for a 4-plex had been down sized to a 3-plex.

Council members expressed concern with the size of the building being too large for the size of the lot. Possibly a duplex would be better. Concern with driveway being too close to street corner. Applicant asking for a lot of variations for the project to proceed.

Applicant, advised he will try to purchase an additional 10' from neighbour to the west.

Close  
Hearing

**6.2.2 MOVED BY COUNCILLOR WAYNE HOSEA  
SECONDED BY COUNCILLOR BRIAN HILDEBRAND  
BE IT RESOLVED** that the statutory hearings for Conditional Use 3-2008 and Variation Order 1-2008 be hereby closed.  
(Carried)

Mr. Thiessen left meeting @ 7:38pm

The Town of Morden Zoning By-law does not allow for a duplex in a "CC" zone.

**6.1.3**            **MOVED BY COUNCILLOR RON LAVERTY**  
                      **SECONDED BY COUNCILLOR WAYNE HOSEA**  
deny              **BE IT RESOLVED** that we deny the application for Conditional Use  
**CO 3-08**            Order 3-2008.  
(Carried)

**6.2.3**            **MOVED BY COUNCILLOR BRIAN HILDEBRAND**  
**V0 1-08**           **SECONDED BY COUNCILLOR RON LAVERTY**  
deny              **BE IT RESOLVED** that we deny the application for Variation Order No.  
                      1-2008.  
(Carried)

*Mayor Wilson returned to the meeting @ 7:52pm and resumed the chair.*

**6.3**              **By-law 7-2008** authorize Road Closure and sale of land (prt 13<sup>th</sup> St)

Close            **6.3.1**    **MOVED BY COUNCILLOR WAYNE HOSEA**  
Meeting        **SECONDED BY COUNCILLOR RON LAVERTY**  
                      **BE IT RESOLVED** that the Regular meeting of Council be  
                      closed to convene as a Planning Hearing to consider By-law  
                      7-2008.  
(Carried)

The Presiding Officer called the Public Hearing to order to hear representation regarding By-law 7-2008 being a By-law to close a portion of the Municipal Road in the Town of Morden shown as Parcel "A" on the notice of Public Hearing.

The proposal as outlined in the Notice of Public Hearing was mailed by registered mail as required by Section 290(2) of the Municipal Act to the Minister of Transportation and Government Services on January 29, 2008. Copies of the notice were also mailed to the properties abutting the road to be closed as well as to the Intergovernmental Affairs Office for circulation on January 29, 2008. The Notice of Public Hearing was also advertised in the Morden Times on February 15 and February 22, 2008 and posted in the Municipal Office on January 29<sup>th</sup>, 2008.

The administration office has received representation regarding the variation application.

Close            **6.3.2**    **MOVED BY COUNCILLOR BRIAN HILDEBRAND**  
Hearing        **SECONDED BY COUNCILLOR RON LAVERTY**  
                      **BE IT RESOLVED** that the statutory hearings for By-law 7-  
                      2008 be hereby closed.  
(Carried)

**6.3.3**                    **MOVED BY COUNCILLOR RON LAVERTY**  
BL 7-08                    **SECONDED BY COUNCILLOR BRIAN HILDEBRAND**  
Rd Closure                **BE IT RESOLVED** that By-law 7-2008 being a by-law of the Town of  
Prt 13<sup>th</sup> St                Morden to close a municipal road and authorize the sale of land be  
2<sup>nd</sup> Reading                read a second time.  
(Carried)

**6.3.4**                    **MOVED BY COUNCILLOR MAURICE BUTLER**  
BL 7-08                    **SECONDED BY COUNCILLOR IRVIN WIEBE**  
Rd Closure                **BE IT RESOLVED** that By-law 7-2008 having been read a first and  
Prt 13<sup>th</sup> St                second time, be now considered read a third time and passed and that  
Cheryl                      the Mayor and Director of Finance and Administration be authorized to  
3<sup>rd</sup> Reading                sign and seal same and do all things necessary to give full force and  
effect to the By-law.  
(Carried)

**Recorded Vote:**

**For:** Mayor Doug Wilson, Councillors, Maurice Butler, Irvin Wiebe, Brian Hildebrand  
Ron Laverty and Wayne Hosea.

**Against:**

**7.                        COMMITTEE REPORTS**

**8.                        GENERAL BUSINESS**

**8.1**                      **MOVED BY COUNCILLOR IRVIN WIEBE**  
Accounts                **SECONDED BY COUNCILLOR MAURICE BUTLER**  
**BE IT RESOLVED** that the accounts as recommended for payment  
be authorized and ordered paid.  
(Carried)

**8.2.1**                    **MOVED BY COUNCILLOR IRVIN WIEBE**  
BL 8-08                    **SECONDED BY COUNCILLOR MAURICE BUTLER**  
2<sup>nd</sup> Reading                **BE IT RESOLVED** that By-law 8-2008 being a by-law of the Town of  
Amend                      Morden to rename the Industrial Park Reserve to the Community  
Comm Devel                Development Reserve and clarify the intent of the Reserve be read a  
Reserve                      second time.  
(Carried)

- 8.2.2**                    **MOVED BY COUNCILLOR IRVIN WIEBE**  
**SECONDED BY COUNCILLOR MAURICE BUTLER**
- Cheryl      BL 8-08      **BE IT RESOLVED** that By-law 8-2008 having been read a first and second time, be now considered read a third time and passed and that the Mayor and Director of Finance and Administration be authorized to sign and seal same and do all things necessary to give full force and effect to the By-law.
- Amend  
Comm Devel  
Reserve
- 3<sup>rd</sup> Reading
- (Carried)
- Recorded Vote:**  
**For:** Mayor Doug Wilson, Councillors, Maurice Butler, Irvin Wiebe, Brian Hildebrand Ron Lavery and Wayne Hosea.  
**Against:**
- 8.3**                    **MOVED BY COUNCILLOR RON LAVERTY**  
**SECONDED BY COUNCILLOR BRIAN HILDEBRAND**
- Les      Authorize  
purchase of  
truck
- WHEREAS** Council wishes to make the purchasing process for a pre-approved capital item more efficient,  
**BE IT RESOLVED** Council authorize the Public Works Director to purchase a used tandem truck, with purchase price not to exceed \$65,000.00.
- (Carried)
- 8.4**                    **MOVED BY COUNCILLOR RON LAVERTY**  
**SECONDED BY COUNCILLOR BRIAN HILDEBRAND**
- Les      Snow  
Removal  
Contract  
Bernie's  
Backhoe
- BE IT RESOLVED** that Council the authorize the Town of Morden to enter into Agreement for a snow removal contract with Bernie's Backhoe Service, and the Mayor and Chief Administrative Officer be authorized to sign same.
- (Carried)
- 8.5**                    **MOVED BY COUNCILLOR RON LAVERTY**  
**SECONDED BY COUNCILLOR WAYNE HOSEA**
- Golf cart  
path/Buhler  
Dr
- BE IT RESOLVED** that Council grant permission to Minnewasta Golf & Country Club to allow for golfers and golf carts to cross Buhler Dr in order to access Easement on the west side of Buhler Drive,  
**AND FURTHERMORE** the appropriate signage be placed on the Golf Cart Pathway and Buhler Dr.
- (Carried)
- 8.6**                    **MOVED BY COUNCILLOR BRIAN HILDEBRAND**  
**SECONDED BY COUNCILLOR WAYNE HOSEA**
- SWAMP  
Green Mun  
Fund
- BE IT RESOLVED** that Council support in principle SWAMP's application for the Green Municipal Fund.
- (Carried)

- 8.7** **MOVED BY COUNCILLOR RON LAVERTY**  
Superior  
Propane  
Lease Agmt  
**SECONDED BY COUNCILLOR WAYNE HOSEA**  
**Cheryl** **BE IT RESOLVED** that Council authorize the Town of Morden to enter into a Lease Agreement with Superior Propane and the Mayor and Chief Administrative Officer be authorized to sign same.  
(Carried)
- 8.8** **MOVED BY COUNCILLOR IRVIN WIEBE**  
Mayor  
Wilson MB  
Ethnocultural  
Advisory  
**SECONDED BY COUNCILLOR MAURICE BUTLER**  
**BE IT RESOLVED** that Council authorize Mayor Wilson to attend the MB Ethnocultural Advisory reception on March 25, 2008 in Winnipeg, and the indemnity and usual out-of-pocket expenses for same be paid  
(Carried)
- 8.9** **MOVED BY COUNCILLOR WAYNE HOSEA**  
**Cheryl** Leducor Lease  
Agmt  
**SECONDED BY COUNCILLOR RON LAVERTY**  
**BE IT RESOLVED** that Council authorize the Town of Morden to enter into a Yard Usage Lease Agreement with Leducor Pipeline Limited, and the Mayor and CAO be authorized to sign same.  
(Carried)
- 9. OTHER BUSINESS**
- 10. IN CAMERA**
- 8:06PM **11. MOVED BY COUNCILLOR MAURICE BUTLER**  
**Adjourn** **SECONDED BY COUNCILLOR IRVIN WIEBE**  
**BE IT RESOLVED** that we do now adjourn to meet again in Regular Session on Monday, March 24, 2008 at 7:00 P.M. or in Special Session at the call of the Mayor.  
(Carried)

**TOWN OF MORDEN**

---

**Mayor**

---

**Director Finance and Administration**