

TOWN OF MORDEN

Regular Meeting

May 12, 2008

Minutes of the Regular Meeting of the Council of the Town of Morden held in the Council Chambers at Morden, Manitoba this 12th day of May, A.D. 2008 at 7:00 P.M..

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

Absent with Regrets:

- 2. Minutes** **MOVED BY COUNCILLOR ALEX FEDORCHUK**
SECONDED BY COUNCILLOR MAURICE BUTLER
BE IT RESOLVED that the minutes of the Regular Meeting of the Council of the Town of Morden held on the 21st day of April 2008 and Special Meetings held on the 22nd day of April 2008 and 1st day of May 2008 be adopted as circulated, all Statutory requirements having been fulfilled.

(Carried)

3. RECOGNITION OF INDIVIDUALS AND/OR ORGANIZATION

- 3.1** **Jonathan Kreiser**, who is employed by Morden Mobile Service in Morden was honoured on May 2, 2008 by Minister Andrew Swan at an awards ceremony in Winnipeg. Jonathan was awarded the highest achieving apprentice award in the "Truck & Transport Mechanic" trade. Congratulations.

- 3.2** **Mike Kehler** was hired in September 2004 and is employed at the Morden Water Treatment Plant, which is a Class 3 Facility under Government of Canada certification. Mike recently passed his Level Three exams, and needs to work at the plant till October 2008, at which time he will receive his full Level Three Operators Certificate. As of October 2008 the Town of Morden will have two Level Three Operators. Congratulations.

- 3.3** **Almira Penner** of the Town of Morden Administration Office, received her MMAA Certificate "With Distinction" at the annual Manitoba Administrators Association Graduation Banquet on April 29, 2008. Almira completed this four-year program in two years with the transfer in of some of her Business Administration Degree Courses. Congratulations.

4. **MOVED BY COUNCILLOR WAYNE HOSEA
SECONDED BY COUNCILLOR BRIAN HILDEBRAND**
Agenda **BE IT RESOLVED** that the Council of the Town of Morden agree to
Additions introduce notice to discuss the following:
- Beach Maintenance Shed
 - 2008-2009 Business Plan
 - Sidewalk Tender 2008
 - Minnewasta Golf & Country Club Request re Debenture
 - U of M Medical School Forum May 30/08
 - May 12, 2008 Committee-of-the-Whole In-Camera recommendations
 - Appoint Town of Morden Collective Bargaining Negotiations Committee
 - Chamber of Commerce information meeting re: LedCor
 - 2008 Street lighting Program
- (Carried)

5. **HEARING OF DELEGATIONS**

6. **PUBLIC HEARINGS – 7:10P.M.**

Explanation of Process – read by the Director of Finance & Administration
Registered Speaker: Lester Krieger – 118 Railway St, Plum Coulee, MB

- 6.1 **Variation Order 2-2008** (Dave Hildebrand Construction on behalf of Craig Kestirke; Lot 13, Plan 44284 MLTO; 30 Woodridge Bay, Roll No. 333105) To vary minimum front yard

Close Meeting

- 6.1.1 **MOVED BY COUNCILLOR IRVIN WIEBE
SECONDED BY COUNCILLOR MAURICE BUTLER**
BE IT RESOLVED that the Regular meeting of Council be closed to convene as a Planning Hearing to consider Variation Order 2-2008.
- (Carried)

The Presiding Officer called the Public Hearing to order to hear representation regarding Variation Order 2-2008 as submitted by Dave Hildebrand Construction Ltd on behalf of Craig Kestirke for Lot 13, Plan 44284 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 April 7th, 2008 and posted in the Town of Morden Administration office on April 7th, 2008.

The administration office has not received any representation either for or against the variation application.

Councillor Laverty sited an interest in agenda item 6.1 and left the meeting.

Close
Hearing

**6.1.2 MOVED BY COUNCILLOR MAURICE BUTLER
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED** that the statutory hearing for Variation
Order 2-2008 be hereby closed.

(Carried)

**6.1.3 MOVED BY COUNCILLOR ALEX FEDORCHUK
SECONDED BY COUNCILLOR IRVIN WIEBE**
Approve
VO 2-08 **BE IT RESOLVED** that we approve of the application for Variation
Order No. 2-2008 and agree to reduce the minimum requirements as
follows:

From: Minimum Front Yard of 25 feet

To: Minimum Front Yard of 14.45 feet

(Carried)

Councillor Laverty returned to the meeting.

6.2 Variation Order 3-2008 (Todd & Shannon Folkett; Lot 21, Block 20,
Plan 855 MLTO; 321 12th Street, Roll No. 37000) To vary minimum
front & side yards

Close
Meeting

**6.2.1 MOVED BY COUNCILLOR MAURICE BUTLER
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED** that the Regular meeting of Council be
closed to convene as a Planning Hearing to consider Variation
Order 3-2008.

(Carried)

The Presiding Officer called the Public Hearing to order to hear
representation regarding Variation Order 3-2008 as submitted by Todd
and Shannon Folkett for Lot 21, Block 20 Plan 855 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 April 22nd, 2008 and posted in the Town of Morden
Administration office on April 21st, 2008.

The administration office has not received any representation either for
or against the variation application.

Close
Hearing

**6.2.2 MOVED BY COUNCILLOR IRVIN WIEBE
SECONDED BY COUNCILLOR MAURICE BUTLER
BE IT RESOLVED** that the statutory hearing for Variation
Order 3-2008 be hereby closed.

(Carried)

6.2.3

Approve
VO 3-08

**MOVED BY COUNCILLOR RON LAVERTY
SECONDED BY COUNCILLOR BRIAN HILDEBRAND
BE IT RESOLVED** that we approve of the application for Variation
Order No. 3-2008 and agree to reduce the minimum requirements as
follows:

From: Minimum Front Yard of 25 feet
Minimum South Side Yard of 4 feet

To: Minimum Front Yard of 24.85 feet
Minimum South Side Yard of .8 feet

(Carried)

6.3

Conditional Order 4-2008 (Mike Enns / Tasti's; Lots 1-3, Plan 2020;
11 Thornhill St; Roll No. 209680) To construct a picnic shelter

Close
Meeting

**6.3.1 MOVED BY COUNCILLOR ALEX FEDORCHUK
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED** that the Regular meeting of Council be
closed to convene as a Planning Hearing to consider
Conditional Use Order 4-2008.

(Carried)

The Presiding Officer called the Public Hearing to order to hear
representation regarding Conditional Use Order 4-2008 as submitted
by Mike Enns / Tasti's, for Lots 1, 2, and 3, Plan 2020 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 Owner of the
applicable property and to property owners within 100 meters of the
affected property on Wednesday, April 23rd, 2008. In addition the
notice was posted in the Municipal Office on Thursday, April 22nd,
2008.

The administration office has not received any representation either for
or against the Conditional Use application.

Opponent - Lester Krieger as representative for his mother, Justina
Krieger - owner of the property north and east of the Drive-In (20
Victoria St).

Noted numerous issues in the past pertaining to garbage, noise, including loudspeaker, and trespassing. Currently can be up to 30 people in picnic table area at one time.

Potential for loud music, lack of fencing by Drive-in owners. Damage to Krieger's private fence by Drive-in snow clearing. Lot 3 should remain as a residential zoned property, and not used as a commercial lot.

The Committee wishes to obtain further legal information regarding the application.

Adjourn
Hearing

**6.3.2 MOVED BY COUNCILLOR RON LAVERTY
SECONDED BY COUNCILLOR ALEX FEDORCHUK
BE IT RESOLVED** that the hearing for Conditional Use Order 4-2008 be adjourned to May 26, 2008 at 7:10pm.
(Carried)

7. COMMITTEE REPORTS

8. GENERAL BUSINESS

Councillor Laverty sited an interest in agenda item 8.1.1 and left the meeting.

**8.1.1 Accounts MOVED BY COUNCILLOR ALEX FEDORCHUK
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED** that the account for Corridor Pizza (*Boston Pizza*) in the amount of \$30.66 as recommended for payment be authorized and ordered paid.
(Carried)

Councillor Laverty returned to the meeting.

**8.1.2 MOVED BY COUNCILLOR ALEX FEDORCHUK
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED** that the remaining accounts as recommended for payment be authorized and ordered paid.
(Carried)

**8.2 MOVED BY COUNCILLOR IRVN WIEBE
SECONDED BY COUNCILLOR MAURICE BUTLER
BE IT RESOLVED** that the By-law 24-2007 having been read a first and second time, be now read a third time and passed and the Mayor and Chief Administrative Officer be authorized to sign and seal same and do all things necessary to give full force and effect to the By-law.
(Carried)

Ken
Janice

BL 24-07
3rd Reading

Rezoning
Wall/Klassen
S/D

Recorded Vote:

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

Against:

Les **2008**
 Paving
 Tender **SECONDED BY COUNCILLOR BRIAN HILDEBRAND**
 BE IT RESOLVED that Council award the tender for the 2008 paving program be awarded to Maple Leaf Construction based on the quote received of \$722,664.60 including GST.

(Carried)

Councillor Lavery left meeting at 8:02pm

Les **8.8**
Rhonda E Ferris Wtr **MOVED BY COUNCILLOR BRIAN HILDEBRAND**
 Supply **SECONDED BY COUNCILLOR WAYNE HOSEA**
 RM Stanley **BE IT RESOLVED** that Council authorize the supply of water to three additional properties north of Morden, north on 1st Street, with the RM of Stanley to be responsible for the installation and cost of line, subject to an agreement being entered into by the Town of Morden and RM of Stanley.

(Carried)

Clare **8.9**
Ken Mr M's **MOVED BY COUNCILLOR MAURICE BUTLER**
 Beach Main **SECONDED BY COUNCILLOR IRVIN WIEBE**
 Shed **BE IT RESOLVED** that Council award the tender for Beach Maintenance Shed to Mister M's Maintenance and Repair for the quoted price of \$24,832.58 GST included.

(Carried)

8.10
 Adopt **MOVED BY COUNCILLOR IRVIN WIEBE**
 Business **SECONDED BY COUNCILLOR MAURICE BUTLER**
 Plan **BE IT RESOLVED** that Council adopt the 2008-2009 Business Plan for the Town of Morden.

(Carried)

Les **8.11**
Ken **Paving** **MOVED BY COUNCILLOR BRIAN HILDEBRAND**
 Tender **SECONDED BY COUNCILLOR WAYNE HOSEA**
 E Ferris **BE IT RESOLVED** that Council award the tender for the 2008 Sidewalk Program to Earl Ferris Construction for the quoted price of \$39,650.63 including GST.

(Carried)

8.12
 MGCC **MOVED BY COUNCILLOR ALEX FEDORCHUK**
 Mortgage **SECONDED BY COUNCILLOR IRVIN WIEBE**
 BE IT RESOLVED that Council authorize the Town of Morden postpone its Granting and Repayment Agreements against Minnewasta Golf & Country Club in favor of the new Mortgage/Debenture to be registered as a first charge behind Highland Park Financial Inc.

(Carried)

8.14 **MOVED BY COUNCILLOR BRIAN HILDEBRAND**

UofM Faculty of Medicine Forum **SECONDED BY COUNCILLOR WAYNE HOSEA**
BE IT RESOLVED that Council authorize Councillor Wiebe to attend the U of M Faculty of Medicine Forum scheduled in Winnipeg for May 30, 2008 and indemnity and the usual out-of-pocket expenses for attending same be paid.
(Carried)

8.15 C/W In-Camera **MOVED BY COUNCILLOR WAYNE HOSEA**
SECONDED BY COUNCILLOR BRIAN HILDEBRAND
BE IT RESOLVED that Council approve the Committee-of-the-Whole May 12, 2008 In-Camera recommendations.
(Carried)

8.16 Union Bargain Committee **MOVED BY COUNCILLOR IRVIN WIEBE**
SECONDED BY COUNCILLOR MAURICE BUTLER
BE IT RESOLVED that Council appoint Clare Agnew, Director of Community Services; Ernie Epp, Chief Administrative Officer; the Town of Morden Human Resource Officer; Jeff Palamar, Lawyer Representative and Councillors Hosea and Hildebrand as the Negotiations Committee for the CUPE Local 4861/Town of Morden – Community Services Collective Bargaining Agreement.
(Carried)

8.17 LeCor luncheon **MOVED BY COUNCILLOR BRIAN HILDEBRAND**
SECONDED BY COUNCILLOR WAYNE HOSEA
BE IT RESOLVED that Council authorize four members of Council to attend the Chamber of Commerce information meeting pertaining to LedCor on May 15, 2008.
(Carried)

8.18 2008 Street Lighting Program **MOVED BY COUNCILLOR MAURICE BUTLER**
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED that Council approve the 2008 Street lighting Program through Manitoba Hydro as follows:

- P.T.H. No. 3 – 4 lights east to Boston Pizza
- Birchwood Dr near corner of Birchwood & Wardrop St
- Maple St – 1 light at the north end
- 300 blocks of 5th, 6th, and 8th Streets – 3 standards per block for a total of \$58,917.90 including GST.

(Carried)

Les Ken **9. OTHER BUSINESS**

10. IN CAMERA

8:10PM **11. MOVED BY COUNCILLOR BRIAN HILDEBRAND**

Adjourn **SECONDED BY COUNCILLOR WAYNE HOSEA**
BE IT RESOLVED that we do now adjourn.

(Carried)

Next Regular Session of Council on Monday, May 26, 2008 at
7:00P.M.

TOWN OF MORDEN

Mayor

Director Finance and Administration