

TOWN OF MORDEN

Regular Meeting

December 15, 2008

Minutes of the Regular Meeting of the Council of the Town of Morden held in the Council Chambers at Morden, Manitoba this 15th day of December, A.D. 2008 at 7:02 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 David Sawatzky
Absent with Regrets:
2. **Minutes** **MOVED BY COUNCILLOR WAYNE HOSEA
SECONDED BY COUNCILLOR BRIAN HILDEBRAND
BE IT RESOLVED** that the minutes of the Regular Meeting of the Council of the Town of Morden held on the 1st day of December 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 WAYNE HOSEA
SECONDED BY COUNCILLOR BRIAN HILDEBRAND
BE IT RESOLVED** that the Council of the Town of Morden agree to add the following items to the agenda:
 - Adjustments to Replacement Reserve
 - Transfer to Utility Reserve
 - 2008 Capital Carryover – Public Works
 - Tourism Marketing Team Budget Carryover
 - Acknowledge Sale of Airport Hangar
 - Recommendations of Committee-of-the-Whole In-Camera

(Carried)
5. **HEARING OF DELEGATIONS**
6. **PUBLIC HEARINGS – 7:10P.M.**
Explanation of Process – read by the Director of Finance & Administration
- 6.1 **By-law 26-2008** amending By-law 6-2007 (Greenwood Dr, Nelson St, Springfield Pl and River Rd Local Improvement)

Close
Meeting

**6.1.1 MOVED BY COUNCILLOR RON LAVERTY
SECONDED BY COUNCILLOR WAYNE HOSEA**

BE IT RESOLVED that the Regular meeting of Council be closed to convene as a Planning Hearing to consider By-law 26-2008.

(Carried)

The Presiding Officer called the Public Hearing to order to hear representation regarding By-law 26-2008 being a by-law to amend By-law 6-2007 to provide for the expenditure and borrowing of funds for the placing of A-base, curbing and asphaltting on Greenwood Drive, Nelson Street, Springfield Place and River Road North as a Local Improvement.

The proposal as outlined in the Notice of Public Hearing was mailed as required by Section 318(1) of the Municipal Act to Owners of the benefiting properties by regular mail on Monday, November 24th, 2008.

The administration office has received representation against the Local Improvement By-law.

Opponents
present

Dave Hildebrand – representing all properties registered under 2660955 Manitoba Ltd. Mr. Hildebrand stated, as the developer, feels he had filled the requirements identified under the development agreement. All road compaction requirements had been met prior to paving. During construction / paving, Maple Leaf Const. had repeatedly removed the barricades that were in place to protect to street. Water damage to pavement was caused. Maple Leaf Const. had driven on the newly placed asphalt and concrete, causing damage to the street and curbs. He had reported these incidences of Maple Leaf Const. to the Town (Public Works, Admin), with no response to him or Maple Leaf Const. Area residents should not be held responsible for the lack of attention of the Contractors, resulting in extra costs for areas of repaving and repair. The Developer tried to watch over the job site, but feels it is the Town's responsibility to watch over these projects. The Town has seen a significant increase in construction and growth recently, and realizes it is difficult for the existing Town employees to keep up.

Opponents
written

Rusty and Jennifer Spragg – 562 Nelson Street; not informed about future local improvement costs at time of purchase.

Colleen Flynn and Mike Kagan – 566 Nelson Street; not informed about future local improvement costs at time of purchase.

Close
Hearing

**6.1.2 MOVED BY COUNCILLOR ALEX FEDORCHUK
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED** that the statutory hearing for By-law 26-2008 be hereby closed.

(Carried)

6.1.3
By-law
26-2008
1st Reading

**MOVED BY COUNCILLOR ALEX FEDORCHUK
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED** that By-law 26-2008 being a by-law to amend By-law 6-2007 of the Town of Morden to provide for the expenditure and borrowing of funds for the placement of A-Base, curbing and asphalt on Greenwood Drive, Nelson Street, Springfield Place and River Road North as a Local Improvement be read a first time.

(Carried)

6.2

Variation Order 9-2008 (submitted by Hoeschen 7 Sloane on behalf of Penn-Co Construction for Lot 8, Block 4, Plan 1380 MLTO; 8 Buttercup Place; Roll No. 180200) to reduce south side yard minimum requirement from 4 ft to 3.5ft and eave projection from 2ft to 1.7ft to allow for the newly constructed residence.

Close
Meeting

**6.2.1 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 9-2008.

(Carried)

The Presiding Officer called the Public Hearing to order to hear representation regarding Variation Order 9-2008 as submitted by Hoeschen & Sloane on behalf of Pennco Construction Ltd for Lot 8, Block 4, Plan 1380 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 November 25, 2008 and posted in the Town of Morden Administration office on November 24, 2008.

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

Close
Hearing

**6.2.2 MOVED BY COUNCILLOR MAURICE BUTLER
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED** that the statutory hearing for Variation Order 9-2008 be hereby closed.

(Carried)

6.2.3 **MOVED BY COUNCILLOR ALEX FEDORCHUK**
SECONDED BY COUNCILLOR IRVIN WIEBE
Approve **BE IT RESOLVED** that Council approve Variation Order 9-2008
VO 9-08 requesting to vary the requirements as follows:
From: Reduce South side yard minimum requirement of 4 ft. Reduce
minimum eave projection on South side yard from 2 ft.
To: Reduce South side yard minimum requirement to 3.5ft. Reduce
minimum eave projection on South side yard to 1.7ft.

7. COMMITTEE REPORTS

8. GENERAL BUSINESS

8.1 *Councillor Butler sited an interest in the Accounts Payable approved for payment during the meetings of December 1st in the amount of \$1000.00, November 17th in the amount of \$1,000.00, August 18th in the amount of \$500.00 and July 21st, 2008 in the amount of \$71.96 for Chautauqua expenses incurred as he was unawares at the time of approval that these payments were being issued.*
Accounts
M Butler -
Chautauqua
Interest

R Lavery Councillor Lavery sited an interest in Accounts Payable items to Corridor Pizza totaling \$206.25 and left meeting.

8.1.1 **MOVED BY COUNCILLOR IRVIN WIEBE**
SECONDED BY COUNCILLOR MAURICE BUTLER
Accounts **BE IT RESOLVED** that the invoices to Corridor Pizza totaling \$206.25
Corridor as recommended for payment be confirmed.
Pizza
(Carried)

Councillor Lavery returned to the meeting.

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

Clare **8.2** **MOVED BY COUNCILLOR IRVIN WIEBE**
Grant **SECONDED BY COUNCILLOR MAURICE BUTLER**
Breakfast **BE IT RESOLVED** that Council make a donation to the Breakfast Club
Club for up to \$504.00 to help offset the costs of ice rental for their 2008-
2009 winter skate program.
(Carried)

Clare **8.3** **MOVED BY COUNCILLOR WAYNE HOSEA**
Letter **SECONDED BY COUNCILLOR BRIAN HILDEBRAND**
SkatePark **BE IT RESOLVED** that Council authorize a letter to the Skate Park
Fundraising Request Fundraising Committee saying the request for funds towards the
purchase of t-shirts for the Skate Park Committee's fundraising project
be denied as it is the Town's practice to not front fundraising projects.
(Carried)

Andy
8.4
Fire Dept
Capital
Carryover

MOVED BY COUNCILLOR RON LAVERTY
SECONDED BY COUNCILLOR WAYNE HOSEA
BE IT RESOLVED that Council approve that \$4,000 from the Fire Departments 2008 Capital Budget for the purpose of completing the east lot development project at the Fire Hall be carried over to 2009.
(Carried)

Andy
Almira
8.5
Purchase
High
Pressure
Air
Compressor

MOVED BY COUNCILLOR BRIAN HILDEBRAND
SECONDED BY COUNCILLOR WAYNE HOSEA
BE IT RESOLVED that Council approve the purchase of a High Pressure Air Compressor from ABC Fire and Safety, with installation of same by Glenron Electric for a total of \$31,300 including taxes, And purchase and installation of same to be funded with \$15,000 from the Fire Department Capital Fund, and the remainder less GST to be contributed to by the Morden Fire Fighters Association.
(Carried)

The Town wishes to acknowledge that the funds used by the Morden Fire Fighters Association for this project, had been provided for by the Morden and Community Thrift Shop.

Les
8.6
Low Flow
Fixtures

MOVED BY COUNCILLOR RON LAVERTY
SECONDED BY COUNCILLOR WAYNE HOSEA
BE IT RESOLVED that Council approve in principle that low flow fixtures be recommended with reference to recommendations for specific situations, ie cul-de-sacs needing to be addressed.
(Carried)

Brad
8.7
Letter
Police
Issue
Warning

MOVED BY COUNCILLOR BRIAN HILDEBRAND
SECONDED BY COUNCILLOR WAYNE HOSEA
BE IT RESOLVED that Council approve the recommendation of the Morden Police Chief be authorize to cancellation of Morden Police Service Ticket No. 1151 and a "warning letter" be issued in place of same.
(Carried)

Garry
8.8
Financial
Stmt

MOVED BY COUNCILLOR ALEX FEDORCHUK
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED that Council approve the Financial Statements to the end of November 30, 2008.
(Carried)

- Almira **8.9** **MOVED BY COUNCILLOR ALEX FEDORCHUK**
SECONDED BY COUNCILLOR IRVIN WIEBE
MBBHOF **BE IT RESOLVED** that Council approve a grant to the Manitoba
Grant Baseball Hall of Fame in the amount of \$159.54 to help cover the 2008
costs of the electrical service to their billboard.
(Carried)
- Garry **8.10** **MOVED BY COUNCILLOR IRVIN WIEBE**
SECONDED BY COUNCILLOR MAURICE BUTLER
Notice of **BE IT RESOLVED** that Council provide Notice of Motion for Policy F/A
Motion – 020 “Annual Grants” to be considered for adoption at the next
Policy F/A- meeting of Council scheduled for January 12, 2009.
020
(Carried)
- Almira **8.11** **MOVED BY COUNCILLOR WAYNE HOSEA**
SECONDED BY COUNCILLOR BRIAN HILDEBRAND
Grant **BE IT RESOLVED** that Council approve a one time grant to the
Mdn Morden Integration Committee in the amount up to \$500.00 to help
Integration cover the costs for ice and hall rental for their Winter Carnival event.
Committee
(Carried)
- Carol **8.12** **MOVED BY COUNCILLOR WAYNE HOSEA**
SECONDED BY COUNCILLOR BRIAN HILDEBRAND
Notice of **BE IT RESOLVED** that Council provide Notice of Motion for Policy F/A
Motion – 025 “Morden Tourism Marketing Team” to be considered for adoption
Policy F/A- at the next meeting of Council scheduled for January 12, 2009.
025
(Carried)
- Council **8.13** **MOVED BY COUNCILLOR ALEX FEDORCHUK**
SECONDED BY COUNCILLOR IRVIN WIEBE
Letter **BE IT RESOLVED** that Council authorize a letter of response be sent
PV Humane to the Pembina Valley Humane Society regarding their delegation to the
Society Finance and Administration Committee.
Delegation
(Carried)
- 8.14.1** **MOVED BY COUNCILLOR MAURICE BUTLER**
BL 23-2008 **SECONDED BY COUNCILLOR IRVIN WIEBE**
2nd Reading **BE IT RESOLVED** that By-law 23-2008 being a by-law to amend By-
law 13-2007 of the Town of Morden to provide for the expenditure and
borrowing of funds for the placement of A-Base, curbing and asphalt on
a 340’ extension of Parkhill Drive and all of Barcelona Bay as a Local
Improvement and having received Municipal Board Approval Order No.
E-08-223 be read a second time.
(Carried)
- 8.14.2** **MOVED BY COUNCILLOR MAURICE BUTLER**
Parkhill
Dr/Barcelona
Bay Paving

Les
Janice

BL 23-2008
3rd Reading

Parkhill
Dr/Barcelona
Bay Paving

SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED that By-law 23-2008 having been read a first and second time be now considered read a third time and passed.

(Carried)

Recorded Vote:

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

8.15.1 **MOVED BY COUNCILLOR MAURICE BUTLER**
SECONDED BY COUNCILLOR IRVIN WIEBE

BL 24-2008
2nd Reading

Valleyfield Dr
Paving

BE IT RESOLVED that By-law 24-2008 being a by-law to amend By-law 32-2007 of the Town of Morden to provide for the expenditure and borrowing of funds for the placement of A-Base, curbing and asphalt on a part of Valleyfield Drive from it's intersection with Parkhill Drive and extending north and then east to the easterly limit of Lot 3, Plan 46558 as a Local Improvement and having received Municipal Board Approval Order No. E-08-217 be read a second time.

(Carried)

8.15.2 **MOVED BY COUNCILLOR BRIAN HILDEBRAND**
SECONDED BY COUNCILLOR WAYNE HOSEA

Les
Janice

BL 24-2008
3rd Reading

BE IT RESOLVED that By-law 24-2008 having been read a first and second time be now considered read a third time and passed.

(Carried)

Valleyfield Dr
Paving

Recorded Vote:

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

8.16 **MOVED BY COUNCILLOR RON LAVERTY**
SECONDED BY COUNCILLOR WAYNE HOSEA

Les
Janice

BL 27-2008
1st Reading

Hillcrest St
Paving

BE IT RESOLVED that By-law 27-2008 being a by-law to amend By-law 1-2008 of the Town of Morden to provide for the expenditure and borrowing of funds for the placement of A-Base, curbing and asphalt on Hillcrest Street as a Local Improvement be read a first time.

(Carried)

8.17.1 **MOVED BY COUNCILLOR MAURICE BUTLER**
SECONDED BY COUNCILLOR IRVIN WIEBE

BL 29-2008
2nd Reading

Rec Cen
Debenture

BE IT RESOLVED that By-law 29-2008 being a by-law of the Town of Morden to amend its By-law 12-2006, being a By-law to provide for the expenditure and borrowing of funds for the redevelopment of the Morden Recreation Centre and having received Municipal Board Approval Order No. E-08-224 be read a second time as amended.

(Carried)

- 8.17.2 **MOVED BY COUNCILLOR IRVIN WIEBE
SECONDED BY COUNCILLOR MAURICE BULTER**
Janice **BL 29-2008**
Clare **3rd Reading** **BE IT RESOLVED** that By-law 29-2008 having been read a first and second time be now considered read a third time and passed.

(Carried)

Rec Cen
Debenture

Recorded Vote:
For: Mayor Doug Wilson, Councillors, Maurice Butler, Alex Fedorchuk, Irvin Wiebe, Brian Hildebrand, Ron Laverty and Wayne Hosea.
- 8.18 **MOVED BY COUNCILLOR RON LAVERTY
SECONDED BY COUNCILLOR WAYNE HOSEA**
Transfer to **BE IT RESOLVED** that Council approve the transfer of an additional
Replacemt \$100,000 to the Replacement Reserve Fund on the condition there is a
Reserve sufficient surplus in the General Operating Fund for 2008 for same.

(Carried)
- 8.19 **MOVED BY COUNCILLOR BRIAN HILDBRAND
SECONDED BY COUNCILLOR WAYNE HOSEA**
Les **WHEREAS** Council approved a \$250,000 transfer to Utility Reserve
Transfer to UT Fund in the 2008 Budget;
Reserve Fund **AND WHEREAS** the Utility Operating Fund is expected to have a deficit in 2008;
THEREFORE BE IT RESOLVED that Council approve the amount transferred to the Utility Reserve Fund in 2008 be \$250,000 less any expected deficit incurred in the Utility Operating Fund for the period ended December 31, 2008.

(Carried)
- 8.22 **MOVED BY COUNCILLOR ALEX FEDORCHUK
SECONDED BY COUNCILLOR IRVIN WIEBE**
Les **BE IT RESOLVED** that Council approve the following carryover items
PW Capital from the 2008 Public Works Capital Budget:
Carryover
- | | |
|---|-----------|
| Storm line Conner Hill Dr | \$102,500 |
| Jefferson Sewer Water - Engineering | \$1,000 |
| Jefferson St Concrete road construction west lane south leg | \$164,295 |
| Street Lighting | \$1,048 |
| Parkhill Watermain looping | \$32,500 |
| Lagoon Dyke – effluent line repair | \$30,000 |
- (Carried)
- 8.23 **MOVED BY COUNCILLOR MAURICE BUTLER
SECONDED BY COUNCILLOR IRVIN WIEBE**
Carol **BE IT RESOLVED** that Council approve a carryover of the unused
Tourism Mktg funds in the 2008 Tourism Marketing Team budget to 2009.
Carryover

(Carried)

Rhonda **8.24** **MOVED BY COUNCILLOR BRIAN HILDEBRAND**
Sale of Airport **SECONDED BY COUNCILLOR RON LAVERTY**
Hangar Lot 11 **BE IT RESOLVED** that Council approve of the sale of the Hangar on
Lot 11 at the Morden and District Airport.

(Carried)

8.25 **MOVED BY COUNCILLOR RON LAVERTY**
CW InCamera **SECONDED BY COUNCILLOR WAYNE HOSEA**
BE IT RESOLVED that Council approve the recommendations of the
December 15, 2008 Committee-of-the-Whole In-Camera meeting.

(Carried)

9. OTHER BUSINESS

10. IN CAMERA

8:22PM **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, January 12, 2009 at
7:00P.M.

TOWN OF MORDEN

Mayor

Director Finance and Administration