

TOWN OF MORDEN

Regular Meeting

February 9, 2009

Minutes of the Regular Meeting of the Council of the Town of Morden held in the Council Chambers at Morden, Manitoba this 9th day of February, A.D. 2009 at 7:06 P.M..

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

Absent with Regrets: Youth Member David Sawatzky

- 2. Minutes** **MOVED BY COUNCILLOR RON LAVERTY
SECONDED BY COUNCILLOR WAYNE HOSEA
BE IT RESOLVED** that the minutes of the Regular Meeting of the Council of the Town of Morden held on the 26th day of January 2009 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 WAYNE HOSEA
BE IT RESOLVED** that the Council of the Town of Morden agree to add the following items to the agenda:

- 2009 Grant Applications – Building Canada Fund Grant Applications
 - Recreation Centre – Phase 3 – Sport Infrastructure
 - Sewer Relining Project – Wastewater Infrastructure Section
 - Lagoon Sludge Removal Project – Wastewater Infrastructure Section
- Community Places Grant Application – Art Gallery Stabilization Phase Two – Stage Two Support
- Community Places Grant Application – Community Centre Flooring
- 2009 Community Places Grant Application – Recreation Centre - Phase Three
- Support of CFDC Application to Building Canada Fund
- MMAA – Understanding Conflict of Interest, Ethics and Labour Relations – March 6, 2009
- Attendance at meetings

(Carried)

5. HEARING OF DELEGATIONS

6. PUBLIC HEARINGS – 7:10P.M.

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

6.1 Variation Order 1- 2009 as submitted by Hoeschen & Sloane on behalf of Amanda Heppner to vary the west side yard eave projection minimum requirement of 2 feet to 1.25 feet (Lot 18, Block 2, Plan 22643 MLTO; 21 Hillcrest St; Roll No. 311200)

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 Variation Order 1-2009.

(Carried)

The Presiding Officer called the Public Hearing to order to hear representation regarding Variation Order 1-2009 as submitted by Hoeschen & Sloane on behalf of Amanda Hoepner for Lots 18, Block 2, Plan 22643 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 January 22nd, 2009 and posted in the Town of Morden Administration office on January 20th, 2009.

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

Close
Hearing

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

BE IT RESOLVED that the statutory hearing for Variation Order 1-2009 be hereby closed.

(Carried)

**6.1.3 MOVED BY COUNCILLOR ALEX FEDORCHUK
SECONDED BY COUNCILLOR IRVIN WIEBE**

BE IT RESOLVED that Council approve Variation Order No. 1-2009 requesting to vary the requirements as follows:

From: West side yard eave projection minimum requirement of 2 feet

To: West side yard eave projection minimum requirement of 1.25 feet.

(Carried)

6.2 Conditional Use Order 1 – 2009 as submitted by Mike Enns/Tasti's to allow for the construction of an addition to both the east and west side of the existing Tasti's Drive-Inn in a CHR zone (Lots 1,2 & 3 Plan 2020; 11 Thornhill Street; Roll 209860)

Close
Meeting

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

BE IT RESOLVED that the Regular meeting of Council be closed to convene as a Planning Hearing to consider Conditional Use Order 1-2009.

(Carried)

The Presiding Officer called the Public Hearing to order to hear representation regarding Conditional Use Order 1-2009 as submitted by Mike Enns, for Lots 1, 2, & 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 Thursday, January 22nd, 2009. In addition the notice was posted in the Municipal Office on Thursday, January 22nd, 2009.

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

Applicant:

Mike Enns wishes to create seating capacity additions to both ends of the building with four-season seating; with the intent of being open March through to November; update the look of the outside of the building; the need for the previous gazebo application would not be needed should this application be approved; the proposed additions would occupy the area now used by picnic tables; no changes to parking; no fencing changes planned; Committee suggests a right turn only sign at exist from lot onto Victoria.

There is existing fencing all around the property, prepared to maintain east fence; lighting in place for security reasons; loudspeaker system came as part of the property when purchased, will look at alternatives;

Opponents:

Lester Krieger 20 Victoria concerns with noise generated by loudspeaker; suggests a lightbox instead which displays order numbers; Kriegers constructed existing fence on their property to provide privacy, screening; hold back garbage (garbage not a current issue), damage done to fence by Tasti's patrons – would like Tasti's to construct a fence along the property line along the east side similar to McDonalds fence; question zoning of back lot, concerned if all

commercial then owner can just do as he sees fit; bright lights - shield; water and gas line on lot 2 services 20 Victoria and has no formal easement agreement.

Richard Nield 50 Victoria concerns regarding noise for loudspeaker system, children on play structure;

Close
Hearing

**6.2.2 MOVED BY COUNCILLOR MAURICE BUTLER
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED** that the statutory hearing for Conditional Order 1-2009 be hereby closed.

(Carried)

F/A
Committee

**6.2.3 MOVED BY COUNCILLOR ALEX FEDORCHUK
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED** that Council refer the application for Conditional Use Order No. 1-2009 to the Finance & Administration Committee to establish parameters for a Development Agreement.

(Carried)

7. COMMITTEE REPORTS

8. GENERAL BUSINESS

Councillor Laverty sited an interest in Agenda Item 8.1.1 and excused himself from the meeting.

**8.1.1 MOVED BY COUNCILLOR ALEX FEDORCHUK
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED** that the account for Corridor Pizza in the amount of \$10.81 payable to Ernie Epp as recommended for payment be confirmed.

(Carried)

Councillor Laverty rejoined the meeting.

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

(Carried)

**8.2 MOVED BY COUNCILLOR IRVIN WIEBE
SECONDED BY COUNCILLOR ALEX FEDORCHUK
WHEREAS** Notice of Motion was given at the Regular Meeting of Council held on January 26, 2009 to adopt the Policy and Procedure Policy G/A – 001 “Business Expenditures”
NOW THEREFORE BE IT RESOLVED that the Council of the Town of Morden adopt Policy GA-001 “Business Expenditures”

(Carried)

8.3 **MOVED BY COUNCILLOR IRVIN WIEBE**
SECONDED BY COUNCILLOR MAURICE BUTLER
FA-004 **WHEREAS** Notice of Motion was given at the Regular Meeting of
Grants Council held on January 26, 2009 to adopt the Policy and Procedure
Policy Policy FA-004 "Grants Policy"
NOW THEREFORE BE IT RESOLVED that the Council of the Town of
Morden adopt Policy FA-004 "Grants Policy".
(Carried)

8.4.1 **MOVED BY COUNCILLOR WAYNE HOSEA**
SECONDED BY COUNCILLOR BRIAN HILDEBRAND
BL 26-08 **BE IT RESOLVED** that By-law 26-2008 being a By-law of the Town of
2nd Reading Morden to amend its By-law No. 6-2007, being a by-law to provide for
the expenditure and borrowing of funds for the placing of A-Base,
curbing and asphalt on Greenwood Drive, Nelson Street, Springfield
Place and River Road North as a Local Improvement having been
read a first time and having received Municipal Board Approval No. E-
09-011 be read a second time.
(Carried)

8.4.2 **MOVED BY COUNCILLOR RON LAVERTY**
SECONDED BY COUNCILLOR WAYNE HOSEA
BL 26-08 **BE IT RESOLVED** that By-law 26-2008 having been read a first and
3rd Reading second time be now considered read a third time and passed.
LID
Springfield
Greenwood
Etc
(Carried)

Recorded Vote:

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

8.5.1 **MOVED BY COUNCILLOR ALEX FEDORCHUK**
SECONDED BY COUNCILLOR MAURICE BUTER
BL 3-09 **BE IT RESOLVED** that By-law 3-2009 being a by-law of the Town of
2nd Reading Morden providing for the compensation of members of Council as set
out in Section 124(2) of The Municipal Act be read a second time as
amended.
(Carried)

8.5.2 **MOVED BY COUNCILLOR IRVIN WIEBE**
SECONDED BY COUNCILLOR MAURICE BUTLER
BL 3-09 **BE IT RESOLVED** that By-law 3-2009 having been read a first and
3rd Reading second time be now considered read a third time and passed.
Indemnity
(Carried)

Recorded Vote:

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

- 8.6 **MOVED BY COUNCILLOR MAURICE BUTLER**
Clare **Community Centre Signage** **SECONDED BY COUNCILLOR IRVIN WIEBE**
BE IT RESOLVED that Council authorize the name on the signage at the Recreation Centre be changed to Morden Community Centre.
(Carried)
- 8.7 **MOVED BY COUNCILLOR MAURICE BUTLER**
Clare **Vern's Carpets Comm Cen** **SECONDED BY COUNCILLOR IRVIN WIEBE**
BE IT RESOLVED that Council approve the quote from Vern's Carpets Inc for flooring in the entrance of the building and east arena dressing room area for a quoted price of \$48,876.80 including taxes.
(Carried)
- 8.8 **MOVED BY COUNCILLOR BRIAN HILDEBRAND**
Clare **2009 Cap Budget Rec Cen Phase 1 & 2** **SECONDED BY COUNCILLOR WAYNE HOSEA**
BE IT RESOLVED that Council approve the 2009 Capital Budget allocation of \$194,309.52 plus GST for the Recreation Centre Re-Development Project Phases 1 & 2.
(Carried)
- 8.9 **MOVED BY COUNCILLOR WAYNE HOSEA**
M Butler **Seniors & Healthy Aging** **SECONDED BY COUNCILLOR BRIAN HILDEBRAND**
BE IT RESOLVED that Council authorize Councillor Butler to attend the MB Seniors & Healthy Aging Secretariat forum on Friday, March 6, 2009 and indemnity for attending same be paid.
(Carried)
- 8.10 **MOVED BY COUNCILLOR BRIAN HILDEBRAND**
Carol **Bldg Canada Fund Infrastructure Grant Applications** **SECONDED BY COUNCILLOR WAYNE HOSEA**
BE IT RESOLVED that Council authorize the Community Resource Officer to submit three applications to the Building Canada Fund – Communities Component Infrastructure Grants,
AND FURTHERMORE the three projects are listed in priority order and it is agreed that the costs of the projects will be shared equally between the Federal, Provincial and Municipal Governments;
1st Priority - Morden Recreation Centre Re-development – Phase 3 – Sport Infrastructure Section – Estimated Cost \$1.8 Million
2nd Priority - Sewer Relining Project – Wastewater Infrastructure Section – Estimated Cost \$ 1.5 Million
3rd Priority - Lagoon Sludge Removal – Wastewater Infrastructure Section – Estimated Cost \$700,000.
(Carried)

- 8.11 **MOVED BY COUNCILLOR ALEX FEDORCHUK**
Carol Clare Community Pl Grant Art Gallery **SECONDED BY COUNCILLOR MAURICE BUTLER**
BE IT RESOLVED that Council authorize the Community Resource Officer to submit a Community Places Grant Application for the Morden Art Gallery Building Stabilization Project – Phase Two – Stage Two.
(Carried)
- 8.12 **MOVED BY COUNCILLOR MAURICE BUTLER**
Carol Clare Community Pl Grant Comm Cen Sport Flooring **SECONDED BY COUNCILLOR IRVIN WIEBE**
BE IT RESOLVED that Council authorize the Community Resource Officer to submit a Community Places Grant Application for the Community Centre Sport Flooring project.
(Carried)
- 8.13 **MOVED BY COUNCILLOR MAURICE BUTLER**
Carol Clare Community Pl Grant Rec Cen Phase 3 **SECONDED BY COUNCILLOR IRVIN WIEBE**
BE IT RESOLVED that authorize the Community Resource Officer to submit a Community Places Grant Application for Phase Three of the Recreation Centre Re-Development Project.
(Carried)
- 8.14 **MOVED BY COUNCILLOR WAYNE HOSEA**
Bldg Canada Fund CFDC **SECONDED BY COUNCILLOR BRIAN HILDEBRAND**
BE IT RESOLVED that Council support the Canadian Fossil Discovery Centre application to the Building Canada Fund – Communities Component - Museum Infrastructure, for a new museum building in Morden. Having the museum located in Morden will be of great economic and social benefit to the Town, the region, the province and the nation.
(Carried)
- 8.15 **MOVED BY COUNCILLOR IRVIN WIEBE**
Doug Wilson Alex Fedorchuk Brian Hildebrand MMAA Understand Conflict Sem **SECONDED BY COUNCILLOR ALEX FEDORCHUK**
BE IT RESOLVED that Council authorize Mayor Wilson and Councillors Fedorchuk and Hildebrand to attend the MMAA Understanding Conflict of Interest, Ethics and Labour Relations seminar on March 6, 2009, and registration, per diem and mileage for attending same be paid.
(Carried)
- 8.16 **MOVED BY COUNCILLOR BRIAN HILDEBRAND**
Alex Fedorchuk Irvin Wiebe Humane Society Mtg **SECONDED BY COUNCILLOR WAYNE HOSEA**
BE IT RESOLVED that Councillors Fedorchuk and Wiebe be authorized to attend a meeting regarding the Humane Society in Winkler on December 18, 2008, and per diem and travel costs be paid.
(Carried)

Doug Wilson
Maurice Butler

8.17
Plum Coulee Chamber Mtg & Banquet

**MOVED BY COUNCILLOR ALEX FEDORCHUK
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED** that Council authorize Mayor Wilson and Councillor Butler to attend Plum coulee Chamber of Commerce Annual Meeting and Banquet and the meal and travel be paid for.

(Carried)

Irvin Wiebe
Maurice Butler

8.18
H Klassen RHA Retirement

**MOVED BY COUNCILLOR BRIAN HILDEBRAND
SECONDED BY COUNCILLOR WAYNE HOSEA
BE IT RESOLVED** that Council authorize Councillors Wiebe and Butler to attend retirement celebration for Helmuth Klassen of RHA in Portage on February 26, 2009 and per diem, travel and meal cost be paid.

(Carried0

9. OTHER BUSINESS

10. IN CAMERA

8:35PM

11. Adjourn
**MOVED BY COUNCILLOR ALEX FEDORCHUK
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED** that we do now adjourn.

(Carried)

Next Regular Session of Council on Monday, February 23, 2009 at 7:00P.M.

TOWN OF MORDEN

Mayor

Director Finance and Administration