

TOWN OF MORDEN

Regular Meeting

May 25, 2009

Minutes of the Regular Meeting of the Council of the Town of Morden held in the Council Chambers at Morden, Manitoba this 25th day of May, A.D. 2009 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 David Sawatzky
Absent with Regrets:

- 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 11th day of May 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 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:
- AMM Resolutions
 - Genesis House Golf Tournament Request
 - By-law 22- 2008 "Zoning By-law"
 - Paving Tender for Cairo Bay
 - Loan Guarantee for MCDC
 - RFP for 638 Stephen St
 - Fire Fighters Hourly Wage
 - May 25, 2009 In-Camera Committee-of-the-Whole recommendations
 - Conner Hill Storm Drain
- (Carried)

- 5. HEARING OF DELEGATIONS**

- 6. PUBLIC HEARINGS – 7:10P.M.**

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

6.1 Art Thiessen Proposed Subdivision as submitted by Mr. and Mrs. Art Thiessen for Lot 3, block 1, Plan 855 (422 12th St) and Lot 65, Plan 23598 (633 Gilmour St)

Close Meeting

**6.1.1 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 proposed subdivision as submitted by Art and Mary Thiessen.
(Carried)

The Presiding Officer called the Public Hearing to hear representation on the proposed subdivision as submitted by Art & Mary Thiessen. The proposed subdivision is located on Lot 3, Block 1, Plan 855 (422 12th Street) and Lot 65, Plan 23598 (655 Gilmour Street) MLTO.

The proposal as outlined in the Notice of Public Hearing was mailed by regular mail to the property owners within 100 meters of the affected property on May 8th, 2009.

The administration office has received representation either for or against the proposal.

Applicant: Hopes to subdivide the Gilmour St property, and provide access to property to the north.

Adjourn Hearing

**6.1.2 MOVED BY COUNCILLOR MAURICE BUTLER
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED** that the hearing for Subdivision Application for Art & Mary Thiessen be adjourned to June 15, 2009.
(Carried)

6.2 Variation Order 5–2009 as submitted by Hoeschen & Sloane on behalf of Jonathan Hoepfner and Barbara Banman for Lot 4, Block 1, Plan 22643 MLTO to vary the minimum required side yards and eave project for a newly constructed home.

Close Meeting

**6.2.1 MOVED BY COUNCILLOR ALEX FEDORCHUK
SECONDED BY COUNCILLOR RON LAVERTY
BE IT RESOLVED** that the Regular meeting of Council be closed to convene as a Planning Hearing to consider Variation Order 5-2009.
(Carried)

The Presiding Officer called the Public Hearing to order to hear representation regarding Variation Order 5-2009 as submitted by Hoeschen & Sloane on behalf of Jonathan Hoepfner and Barbara Banman for Lot 4, Block 1, 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 May 8th, 2009 and posted in the Town of Morden Administration office on May 5th, 2009.

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

Close
Hearing

**6.2.2 MOVED BY COUNCILLOR ALEX FEDORCHUK
SECONDED BY COUNCILLOR BRIAN HILDEBRAND
BE IT RESOLVED** that the statutory hearing for Variation Order 5-2009 be hereby closed.

(Carried)

6.2.3

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

**VO 5-09
Approved**

BE IT RESOLVED that Council approve the application for Variation Order No. 5-2009 to decrease the minimum requirements as follows:

From: Minimum required west side yard of 4 feet,
Eave projection of 2 feet on west side yard,
And east side yard minimum requirement of 12 feet

To: Minimum required west side yard of 3.1 feet,
Eave projection of 1.1 feet on west side yard,
And east side yard minimum requirement of 11.65 feet.

(Carried)

6.3

Variation Order 6-2009 as submitted by the Alliance Church for Lot 6, Block 34, Plan 863 MLTO (163 15th St, Roll No. 117000) to vary the use to allow accessory off-street parking.

Close
Meeting

**6.3.1 MOVED BY COUNCILLOR ALEX FEDORCHUK
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 6-2009.

(Carried)

The Presiding Officer called the Public Hearing to order to hear representation regarding Variation Order 6-2009 as submitted by the Alliance Church for Lot 6, Block 34, 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 May 8th, 2009 and posted in the Town of Morden Administration office on May 5th, 2009.

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

Applicant: George Penner: Willing to construct privacy walls on the north and south side of the property in respect to neighbouring homes.

Proponents Rick Helps on behalf of Joan Helps (present): concerns regarding
Opponents: property value of their property; access to their garage; placement of fence

Close
Hearing

**6.3.2 MOVED BY COUNCILLOR MAURICE BUTLER
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED** that the statutory hearing for Variation Order 6-2009 be hereby closed.

(Carried)

6.3.3

**MOVED BY COUNCILLOR RON LAVERTY
SECONDED BY COUNCILLOR BRIAN HILDEBRAND**

**VO 6-09
Tabled**

BE IT RESOLVED that the decision on Variation Order No. 6-2009 be tabled until the next regularly scheduled Council Meeting on June 15, 2009.

(Carried)

6.4

Variation Order 7-2009 as submitted by Douglas and Lynda Penner for Lot 10, Plan 2069 MLTO (325 Mountain St S, Roll No. 211600) to vary the minimum requirements for the north side yard to allow for the construction of an addition to the existing building.

Close
Meeting

**6.4.1 MOVED BY COUNCILLOR WAYNE HOESA
SECONDED BY COUNCILLOR BRIAN HILDEBRAND
BE IT RESOLVED** that the Regular meeting of Council be closed to convene as a Planning Hearing to consider Variation Order 7-2009.

(Carried)

The Presiding Officer called the Public Hearing to order to hear representation regarding Variation Order 7-2009 as submitted by Douglas and Linda Penner for Lot 10, Plan 2069 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 May 8th, 2009 and posted in the Town of Morden Administration office on May 5th, 2009.

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

Applicant: The building doors are located on the south side. The construction costs would be the same or more to build 2 feet less. The building is 14' at the ceiling, plus peak.

Close
Hearing

**6.4.2 MOVED BY COUNCILLOR BRIAN HILDEBRAND
SECONDED BY COUNCILLOR WAYNE HOSEA
BE IT RESOLVED** that the statutory hearing for Variation Order 7-2009 be hereby closed.

(Carried)

**6.4.3 MOVED BY COUNCILLOR RON LAVERTY
SECONDED BY COUNCILLOR WAYNE HOSEA
BE IT RESOLVED** that Council approve the application for Variation Order No. 7-2009 to increase the minimum requirements as follows:
From: Minimum North side yard of 5 feet
To: Minimum North side yard of 3 feet

VO 7-09
Defeated

(Defeated)

7. COMMITTEE REPORTS

8. GENERAL BUSINESS

**8.1 MOVED BY COUNCILLOR ALEX FEDORCHUK
SECONDED BY COUNCILLOR BRIAN HILDEBRAND
BE IT RESOLVED** that the accounts as recommended for payment be confirmed.

Accounts

(Carried)

**8.2 MOVED BY COUNCILLOR IRVIN WIEBE
SECONDED BY COUNCILLOR MAURICE BUTLER
WHEREAS** Notice of Motion was given at the Regular Meeting of Council held on May 11, 2009 to adopt the Policy and Procedure Policy F/A-020 Annual Grants

Policy
FA-020
Annual
Grants

NOW THEREFORE BE IT RESOLVED that the Council of the Town of Morden adopt Policy F/A-020 Annual Grants.

(Carried)

- 8.3**
Financial Stmt
MOVED BY COUNCILLOR ALEX FEDORCHUK
SECONDED BY COUNCILLOR BRIAN HILDEBRAND
BE IT RESOLVED that Council adopt the Financial Statement to April 30, 2009.

(Carried)
- Clare
Garry
8.4
Buhler Bleacher Fund Allocation
MOVED BY COUNCILLOR IRVIN WIEBE
SECONDED BY COUNCILLOR MAURICE BUTLER
BE IT RESOLVED that Council approve that \$10,108.56, representing the Town of Morden's share of bleacher rentals since 2003 be designated in the General Reserve as future bleacher maintenance and replacement.

(Carried)
- Clare
Carol
8.5
RiNC
MOVED BY COUNCILLOR MAURICE BUTLER
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED that Council approve a grant application to the Recreational Infrastructure Canada Program be made.

(Carried)
- Les
Ken
8.6.1
Loren Dr
MOVED BY COUNCILLOR IRVIN WIEBE
SECONDED BY COUNCILLOR MAURICE BUTLER
WHEREAS in recognition of the Canada's Centennial Year, Council had agreed that a Morden street be named after the Centennial Baby first born after July 1st, 1967

BE IT RESOLVED that Council approve the east/west Street in the East Commercial Development be named Loren Drive after Loren Giesbrecht Morden's Centennial Baby.

(Carried)
- 8.6.2**
Giesbrecht Hotel Accom
MOVED BY COUNCILLOR WAYNE HOSEA
SECONDED BY COUNCILLOR BRIAN HILDEBRAND
BE IT RESOLVED that Council approve the Town of Morden pay for the costs of two hotel rooms for the Giesbrechts for August 21, 2009.

(Carried)
- Les
Ken
8.7
Dev Agmt 2117983 MB Ltd
MOVED BY COUNCILLOR WAYNE HOSEA
SECONDED BY COUNCILLOR BRIAN HILDEBRAND
BE IT RESOLVED that Council approve the Town of Morden enter in to Development Agreement with 2117983 Manitoba Ltd regarding subdivision application 4433-08-5265, and the Mayor and Chief Administrative Officer be authorized to sign same.

(Carried)

Cheryl **8.8** **MOVED BY COUNCILLOR WAYNE HOSEA**
Revised **SECONDED BY COUNCILLOR BRIAN HILDEBRAND**
C&A **BE IT RESOLVED** that Council approve the Town of Morden enter in
Agmt to a revised Agreement with Corn & Apple Festival Inc regarding the
storage building, and the Mayor and Chief Administrative Officer be
authorized to sign same.
(Carried)

Andy **8.9.1** **MOVED BY COUNCILLOR RON LAVERTY**
Fire Hall **SECONDED BY COUNCILLOR WAYNE HOSEA**
Pkg Lot **BE IT RESOLVED** that Council approve the Fire Hall parking lot
Maple Leaf tender be awarded to Maple Leaf Construction for the quoted price of
Const \$10,526.25 including taxes.
(Carried)

Andy **8.9.2** **MOVED BY COUNCILLOR RON LAVERTY**
Fire Hall **SECONDED BY COUNCILLOR BRIAN HILDEBRAND**
Sdwb **BE IT RESOLVED** that Council approve the Fire Hall sidewalk tender
Tender be awarded to Earl Ferris Construction for the quoted price of
Earl Ferris \$1,905.10 including taxes.
Const (Carried)

Andy **8.10** **MOVED BY COUNCILLOR BRIAN HILDEBRAND**
Notice of **SECONDED BY COUNCILLOR WAYNE HOSEA**
Motion **BE IT RESOLVED** that Council provide Notice of Motion for Personnel
Policy Policy – PER – 061 “Fire Fighters Compensation Pay” to be
PER-061 considered for adoption at the next meeting of Council scheduled for
June 15, 2009.
(Carried)

Andy **8.11** **MOVED BY COUNCILLOR BRIAN HILDEBRAND**
Alcom **SECONDED BY COUNCILLOR WAYNE HOSEA**
Comm **BE IT RESOLVED** that Council approve the Town of Morden purchase
Upgrade the required radios and hardware for radio upgrades from Alcom
Fire Dept Communications for a total of \$23,575.77 including taxes;
Radios **AND FURTHERMORE** a portion of this purchase to be offset by the
following:

- Winkler Fire Dept - \$3,565.25
- Morden Thrift Shop Donation - \$6,606.11

(Carried)

- Les **8.12** **MOVED BY COUNCILLOR RON LAVERTY**
2009 **SECONDED BY COUNCILLOR WAYNE HOSEA**
Paving **BE IT RESOLVED** that Council approve the 2009 paving tender be
Tender awarded to Maple Leaf Const for a total quote of \$499,057.31
Maple Leaf including taxes for the following:
Const
- Back Lane – Mountain St to 19th St
 - Buttercup Pl
 - Sunset Estates Phase 1 & 2
 - Jade Bay, Emerald Dr & Sapphire Bay
- (Carried)
- Les **8.13** **MOVED BY COUNCILLOR BRIAN HILDEBRAND**
2009 **SECONDED BY COUNCILLOR WAYNE HOSEA**
Sdwb **BE IT RESOLVED** that Council approve the 2009 sidewalk tender be
Tender awarded to Earl Ferris Construction for a total of \$19,652.00 plus GST
Earl Ferris for the following:
Const
- Nelson St 100 block west side
 - Stephen St – 2nd St to 3rd St south side
- (Carried)
- Les **8.14** **MOVED BY COUNCILLOR IRVIN WIEBE**
Can **SECONDED BY COUNCILLOR MAURICE BUTLER**
Dewatering **BE IT RESOLVED** that Council approve the purchase of a lift station
Lift St backup pump from Canadian Dewatering at the quoted price of
\$37,035.22 GST included.
- (Carried)
- Les **8.15** **MOVED BY COUNCILLOR BRIAN HILDEBRAND**
Sunset **SECONDED BY COUNCILLOR WAYNE HOSEA**
Estate Ped **BE IT RESOLVED** that Council approve the Sunset Estate Pedestrian
Bridge Bridge project be awarded to Irv's Mobile Welding for a quoted price of
Irv's Mobile \$20,279.00 plus GST.
Welding
- (Carried)
- Letters **8.16** **MOVED BY COUNCILLOR RON LAVERTY**
Letter to **SECONDED BY COUNCILLOR WAYNE HOSEA**
Utilities **BE IT RESOLVED** that Council authorize letters be sent to the various
work within utility companies that have utilities running through the boulevards in
blvd easemt Town regarding notification before work begins to the public in the
area affected.
- (Carried)

- Letter **8.17** **MOVED BY COUNCILLOR IRVIN WIEBE**
Police **Market** **SECONDED BY COUNCILLOR MAURICE BUTLER**
Fire **Days St** **BE IT RESOLVED** that Council grant the Morden District Chamber of
PW **Closure** Commerce permission to close the following street area every
 Thursday from 3:00pm to 7:00pm commencing June 18, 2009 until
 October 8, 2009 in conjunction with Morden Market Days:
 • 8th Street – from Stephen St to N Railway St
 • Including the Town parking lot next to Morden's Heartland
As well as the use of Town barricades for same.

(Carried)
- Brad **8.18** **MOVED BY COUNCILLOR RON LAVERTY**
 Police **SECONDED BY COUNCILLOR BRIAN HILDEBRAND**
 Audio- **BE IT RESOLVED** that Council approve the purchase and set up of a
 Video Audio-Video system known as "For the Record" for \$7,500.00
 System including taxes.

(Carried)
- Brad **8.19** **MOVED BY COUNCILLOR BRIAN HILDEBRAND**
 Police **SECONDED BY COUNCILLOR WAYNE HOSEA**
 Truck **BE IT RESOLVED** that Council approve the purchase of a Ford F150
 Hometown crew cab from Hometown Ford at the quoted price of \$36,033.21;
 Ford **AND FURTHERMORE** the addition of emergency equipment from
 Action Fire EMS at the quoted price of \$9,765.99;
 For a total cost of \$45,799.20 including taxes and the total be funded
 by the Replacement Reserve Fund.

(Carried)
- Letter **8.20** **MOVED BY COUNCILLOR IRVIN WIEBE**
 AMM **SECONDED BY COUNCILLOR MAURICE BUTLER**
 Resolutions **BE IT RESOLVED** that Council approve the resolutions regarding the
 new Police Services Act, Provincial Funding for day care, and the
 WRARS levy as presented for AMM consideration at the June District
 Meeting.

(Carried)
- Letter **8.21** **MOVED BY COUNCILLOR IRVIN WIEBE**
 Genesis **SECONDED BY COUNCILLOR MAURICE BUTLER**
 House **BE IT RESOLVED** that Council approve the Town of Morden provide a
 Golf Tourn hole sponsor in the amount of \$200 to Genesis House Women's
 Shelter Golf Tournament.

(Carried)

- 8.22** **MOVED BY COUNCILLOR MAURICE BUTLER**
SECONDED BY COUNCILLOR IRVIN WIEBE
BL 22-08 **BE IT RESOLVED** that By-law 22-2008 being a by-law of the Town of
Zoning BL Morden to regulate and control the use and development of land and
1st Reading buildings within the Municipal limits of the Town of Morden be read a
first time, and the Chief Administrative Officer be authorized to do all
that is necessary to bring the by-law into force.
(Carried)
- 8.23** **MOVED BY COUNCILLOR MAURICE BUTLER**
SECONDED BY COUNCILLOR IRVIN WIEBE
Les **Cairo Bay** **BE IT RESOLVED** that Council approve the quote from Maple Leaf
Paving Construction for paving Cairo Bay and part of Parkhill Dr at a cost of
Maple Leaf \$72,439.24 including taxes subject to the developer providing a
Const contribution to allow the Local Improvement to be completed within the
LID requirements.
(Carried)
- 8.24** **MOVED BY COUNCILLOR RON LAVERTY**
SECONDED BY COUNCILLOR WAYNE HOSEA
Cheryl **MCDC** **BE IT RESOLVED** that Council approve the Town of Morden
Loan guarantee a loan for MCDC as recommendation of the May 25, 2009
Committee-of-the-Whole In-Camera meeting.
(Carried)
- 8.25** **MOVED BY COUNCILLOR ALEX FEDORCHUK**
SECONDED BY COUNCILLOR MAURICE BUTLER
Janice 638 Stephen **BE IT RESOLVED** that Council accept the offer for purchase from Bee
Les St Pocket Housing X-ing Honey Farm Limited for Pocket Housing on 638 Stephen St.
(Carried)
- 8.26** **MOVED BY COUNCILLOR ALEX FEDORCHUK**
SECONDED BY COUNCILLOR MAURICE BUTLER
Andy **Fire** **BE IT RESOLVED** that Council approve the Fire Fighters hourly wage
Geri **Fighters** rate be increased to \$15.50/hr effective July 1, 2009.
Wage
(Carried)
- 8.27** **MOVED BY COUNCILLOR BRIAN HILDEBRAND**
SECONDED BY COUNCILLOR WAYNE HOSEA
CW **BE IT RESOLVED** that Council approve the recommendations of the
In-Camera May 25, 2009 Committee-of-the-Whole In-Camera meeting.
Recommend
(Carried)
- 8.28** **MOVED BY COUNCILLOR MAURICE BUTLER**
SECONDED BY COUNCILLOR IRVIN WIEBE
Les CHDr Storm

Drain
Silver Creek **BE IT RESOLVED** that t Council approve the Conner Hill Storm Drain project be awarded to Silver Creek Construction for the quoted price of \$61,121.00 plus GST.

(Carried)

9. OTHER BUSINESS

10. IN CAMERA

8:15PM **11. MOVED BY COUNCILLOR WAYNE HOSEA**
Adjourn SECONDED BY COUNCILLOR BRIAN HILDEBRAND
BE IT RESOLVED that we do now adjourn.

(Carried)

Next Regular Session of Council on Monday, June 15, 2009 at 7:00P.M.

TOWN OF MORDEN

Mayor

Director Finance and Administration