

TOWN OF MORDEN

Regular Meeting

August 23, 2010

Minutes of the Regular Meeting of the Council of the Town of Morden held in the Council Chambers at Morden, Manitoba this 23rd day of August, A.D. 2010 at 7:00 P.M..

1. Present **Present:** Mayor Doug Wilson, Councillors, Maurice Butler, Alex Fedorchuk, Wayne Hosea, Ron Lavery and Irvin Wiebe
Absent with Regrets: Youth Member Shelisa Klassen

2. Minutes **MOVED BY COUNCILLOR MAURICE BUTLER**
SECONDED BY COUNCILLOR ALEX FEDORCHUK
BE IT RESOLVED that the minutes of the Regular Meeting of the Council of the Town of Morden held on the 19th day of July 2010 and Special Meeting held on the 9th day of August 2010 be adopted as circulated, all Statutory requirements having been fulfilled.
(Carried)

3. RECOGNITION OF INDIVIDUALS AND/OR ORGANIZATION

4. Agenda Additions **MOVED BY COUNCILLOR MAURICE BUTLER**
SECONDED BY COUNCILLOR ALEX FEDORCHUK
BE IT RESOLVED that the Council of the Town of Morden agree to add the following items to the agenda:

- Police K9 Unit

(Carried)

5. HEARING OF DELEGATIONS

6. PUBLIC HEARINGS – 7:10P.M.

Explanation of Process – read by the Chief Administrative Officer

6.1 Conditional Use 5-2010 (as submitted by Margaret Winslow requesting to allow a group day care to operate in a “RT” Residential Two family zone as a condition use) Lot 1, Block 20, Plan 863 MLTO; Roll No. 84300; 175 2nd Street

6.1.1 Close Meeting **MOVED BY COUNCILLOR IRVIN WIEBE**
SECONDED BY COUNCILLOR ALEX FEDORCHUK
BE IT RESOLVED that the Regular meeting of Council be closed to reconvene as a Planning Hearing to consider Conditional Use Order 5-2010.
(Carried)

The Presiding Officer called the hearing to order to hear representation regarding Conditional Use Order 5-2010 as submitted by Margaret Winslow for Lot 1, Block 20, 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 Owner of the applicable property and to property owners within 100 meters of the affected property on July 27th, 2010. In addition the notice was posted in the Municipal Office July 27th, 2010.

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

Applicant: **Margaret Winslow** – a past Morden Day Care worker; purchased house with intent to run a licenced home day care after consultation with Child Care Coordinator; would like to expand to operate as a group day care that would provide care for up to 12 children.

Karen VanDijk, Child Care Coordinator for South Central – currently up to 8 children allowed of varying designated ages. With an additional child care provider on site, a licence for up to 12 children can be accommodated. The Province will be making the regular routine inspections.

Close
Hearing

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

BE IT RESOLVED that Council close the hearing for Conditional Use Order 5-2010.

(Carried)

6.1.3

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

Approve
CO 5-10

BE IT RESOLVED that Council approve Conditional Use Order 5-2010 to allow a group day care to operate in a “RT” Residential Two Family zone as a conditional use.

(Carried)

6.2

By-law 8-2010 (to amend Morden Zoning By-law 22-2008) Pt NW ¼ 6-3-5W, Pt NE ¼ 1-3-5W & Pt Government Road Allowance (closed), being all of Lot 3 and Public Road Plan No 27969 MLTO from “CR” Community Reserve to “RS-1” Residential Single Family Zone
(continuation of Fairway Dr) 2nd Reading

Close
Meeting

**6.2.1 MOVED BY COUNCILLOR WAYNE HOSEA
SECONDED BY COUNCILLOR RON LAVERTY
BE IT RESOLVED** that the Regular meeting of Council be closed to reconvene as a Planning Hearing to consider By-law 8-2010.

(Carried)

The Presiding Officer called the hearing to order to hear representation regarding By-law 8-2010 being a by-law to amend Zoning By-law 22-2008.

The proposal as outlined in the Notice of Public Hearing was mailed by regular mail as required by Section 168 of the Planning Act to the Minister of Local Government, the MSTW Planning District, all member municipalities of the Planning District, the applicant, and all properties within 100 meters of the affected property on July 26th, 2010. The Notice of Public Hearing was also advertised in the Morden Times on August 6th and August 13th and posted in the Municipal Office on July 26th, 2010.

The administration office has not received any representation either for or against the By-law.

Close
Hearing

**6.2.2 MOVED BY COUNCILLOR RON LAVERTY
SECONDED BY COUNCILLOR WAYNE HOSEA
BE IT RESOLVED** that Council close the hearing for By-law 8-2010.

(Carried)

6.2.3
BL 8-10
2nd Reading

**MOVED BY COUNCILLOR ALEX FEDORCHUK
SECONDED BY COUNCILLOR RON LAVERTY
BE IT RESOLVED** that By-law 8-2010 being a by-law of the Town of Morden to amend the Morden Zoning By-law 22-2008, as amended be now read a second time.

(Carried)

Ernie
Ken

6.2.4
BL 8-10
3rd Reading

**Zoning
Fairway Dr
extension**

**MOVED BY COUNCILLOR ALEX FEDORCHUK
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED** that By-law 8-2010 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, Wayne Hosea, Ron Laverty and Irvin Wiebe

6.3 **Variation Order 10-2010** (as submitted by Jan Leishman to vary the requirements from minimum required rear yard of 25' to minimum required rear yard of 14' 6") Lot 8, Block 4, Plan 31110 MLTO; Roll No. 322700; 15 Glenwood Dr

Close
Meeting

6.3.1 **MOVED BY COUNCILLOR IRVIN WIEBE**
SECONDED BY COUNCILLOR MAURICE BUTLER
BE IT RESOLVED that the Regular meeting of Council be closed to reconvene as a Planning Hearing to consider Variation Order 10-2010.

(Carried)

The Presiding Officer called the hearing to order to hear representation regarding Variation Order 10-2010 as submitted by Jan Leishman for Lot 8, Block 4, Plan 31110 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 August 5th, 2010 and posted in the Town of Morden Administration office on August 5th, 2010.

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

Applicant

Jan Leishman, was granted a building permit, and started construction. Then was informed by MSTW that a misunderstanding regarding side and rear yards had occurred when issuing the permit. A variation would be required to proceed.

Close
Hearing

6.3.2 **MOVED BY COUNCILLOR ALEX FEDORCHUK**
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED that Council close the hearing for Variation Order 10-2010.

(Carried)

6.3.3

Approve
VO 10-10

MOVED BY COUNCILLOR ALEX FEDORCHUK
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED that Council approve Variation Order 10-2010 to vary the requirements as follows:

From: A minimum requirement for rear yard of 25'

To: A minimum requirement for rear yard of 14'6"

(Carried)

7. COMMITTEE REPORTS

8. GENERAL BUSINESS

Nicole **8.1** **MOVED BY COUNCILLOR IRVIN WIEBE**
Accounts **SECONDED BY COUNCILLOR ALEX FEDORCHUK**
BE IT RESOLVED that the accounts as recommended for payment be confirmed.
(Carried)

Les **8.2** **MOVED BY COUNCILLOR RON LAVERTY**
Adopt **SECONDED BY COUNCILLOR WAYNE HOSEA**
Policy **WHEREAS** Notice of Motion was given at the Regular Meeting held on
W/O-018 July 19, 2010 to adopt Policy & Procedure – Policy No. W/O – 018 “Lot
Grading”;
NOW THEREFORE BE IT RESOLVED that Council of the Town of
Morden approve Policy No. W/O-018 “Lot Grading”.
(Carried)

Les **8.3** **MOVED BY COUNCILLOR RON LAVERTY**
Adopt **SECONDED BY COUNCILLOR WAYNE HOSEA**
Policy **WHEREAS** Notice of Motion was given at the Regular Meeting held on
W/O-020 July 19, 2010 to adopt Policy & Procedure – Policy No. W/O – 020
“Paving Protocol”;
NOW THEREFORE BE IT RESOLVED that Council of the Town of
Morden approve Policy No. W/O-020 “Paving Protocol”.
(Carried)

8.4.1 **MOVED BY COUNCILLOR RON LAVERTY**
BL 9-10 **SECONDED BY COUNCILLOR WAYNE HOSEA**
2nd Reading **BE IT RESOLVED** that By-law 9-2010 being a by-law of the Town of
Morden providing for the control and removal of certain obstructions,
and the repair and replacement on municipal roads, parks and
reserves be now read a second time.
(Carried)

Rick **8.4.2** **MOVED BY COUNCILLOR WAYNE HOSEA**
BL 9-10 **SECONDED BY COUNCILLOR RON LAVERTY**
3rd Reading **BE IT RESOLVED** that By-law 9-2010 having been read a first and
Obstructions second time be now considered read a third time and passed.
(Carried)

Recorded Vote:
For: Mayor Doug Wilson, Councillors, Maurice Butler, Alex Fedorchuk, Wayne Hosea, Ron Laverty and
Irvin Wiebe

8.5.1 **MOVED BY COUNCILLOR ALEX FEDORCHUK**
BL 6-10 **SECONDED BY COUNCILLOR IRVIN WIEBE**
2nd Reading **BE IT RESOLVED** that By-law 6-2010 being a by-law of the Town of
Morden to close a public reserve be now read a second time as
amended.
(Carried)

- Clare
Ken
Garry
- 8.5.2**
BL 6-10
3rd Reading
- Close**
Public
Reserve
- MOVED BY COUNCILLOR ALEX FEDORCHUK**
SECONDED BY COUNCILLOR IRVIN WIEBE
BE IT RESOLVED that By-law 6-2010 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, Wayne Hosea, Ron Lavery and Irvin Wiebe
- Garry
Rhonda
- 8.6**
Approve
Sale of
Hangar
- MOVED BY COUNCILLOR WAYNE HOSEA**
SECONDED BY COUNCILLOR RON LAVERTY
BE IT RESOLVED that Council approve the sale of the hangar located on Lot 21 at the Morden & District Airport owned by Gerald Clayden to Jim Peters.
(Carried)
- 8.7**
Financial
Statement
- MOVED BY COUNCILLOR IRVIN WIEBE**
SECONDED BY COUNCILLOR ALEX FEDORCHUK
BE IT RESOLVED that Council adopt the Financial Statement to July 31, 2010.
(Carried)
- 8.8**
Appoint
Board of
Revision
- MOVED BY COUNCILLOR MAURICE BUTLER**
SECONDED BY COUNCILLOR ALEX FEDORCHUK
BE IT RESOLVED that Council appoint the 2011 Board of Revision to consist of the members of Council with the Deputy-Mayor Fedorchuk or his alternate Irvin Wiebe as Chairperson, and the Secretary be Garry Hiebert or alternate Ernie Epp.
(Carried)
- Janice
Garry
- 8.9**
Added
Taxes
- MOVED BY COUNCILLOR MAURICE BUTLER**
SECONDED BY COUNCILLOR ALEX FEDORCHUK
BE IT RESOLVED that Council approve the 2010 Added Taxes (Batch #1) in the amount of \$164,350.85 plus any adjustments for Waste Collection levies.
(Carried)
- Brad
Les
- 8.10**
C&A Street
Closures
- MOVED BY COUNCILLOR WAYNE HOSEA**
SECONDED BY COUNCILLOR RON LAVERTY
BE IT RESOLVED that Council authorize the following street closures for the annual Corn and Apple Festival:
1. August 26, 2010 5:00 p.m. to August 29, 2010 9:00 p.m.
 - a. Stephen Street from the west side of 7th Street to the east side of 11th Street
 - b. From the south side of the lane north of Stephen Street

to Stephen Street on 7th, 8th, Nelson, 9th, and 10th Streets
c. From Stephen Street to the north side of North Railway Street on 7th, Nelson and 10th Streets.

2. August 25, 2010 5:00 p.m. to August 29, 2010 9:00 p.m.

a. From Stephen Street to the north side of north Railway Street on 8th and 9th Streets.

(Carried)

Les
Ken
8.11
Utilities
Easement
Agreements
CHDr
MOVED BY COUNCILLOR RON LAVERTY
SECONDED BY COUNCILLOR WAYNE HOSEA
BE IT RESOLVED that Council authorize the Town of Morden to enter in to Grant of Easement for Utilities between 101 & 105 Conner Hill Dr with Manitoba Hydro-Electric Board, MTS Allstream Inc and Centra Gas Manitoba Inc.

(Carried)

Councillor Laverty declared an interest in agenda item 8.12 and left meeting.

Cheryl
8.12
Amend
Restriction
&
Easement
Agmts
Pembina
Connection
MOVED BY COUNCILLOR MAURICE BUTLER
SECONDED BY COUNCILLOR ALEX FEDORCHUK
BE IT RESOLVED that Council approve Article 3, paragraphs 3.1 and 3.2 be deleted on the Restriction Agreement and Grant of Easements instrument number 1098551 and the amending agreement be approved to allow for ease of access in the Pembina Connection area.

(Carried)

Councillor Laverty returned to meeting.

Ernie
8.13
Letter
Steckley
Eng
MOVED BY COUNCILLOR IRVIN WIEBE
SECONDED BY COUNCILLOR MAURICE BUTLER
BE IT RESOLVED that Council authorize a letter of reply be sent to Steckley Engineering advising of the Town's expectation for how the development immediately south of Lake Minnewasta might proceed, wastewater disposal concerns, together with the zoning requirement and Provincial direction.

(Carried)

MaryAnne
8.14
GWL
MOVED BY COUNCILLOR IRVIN WIEBE
SECONDED BY COUNCILLOR ALEX FEDORCHUK
BE IT RESOLVED that Council authorize the Town of Morden to accept the Group Policy renewal proposal beginning August 1, 2010 from Great West Life Assurance Co., providing Short Term Disability, Extended health, Dental and Vision coverage for all permanent full-time employees and designated officers of the company, as presented with an increase in premiums of 6.3%, with the total of all premiums to be divided equally between Employees and the Employer (Town of Morden).

(Carried)

Ernie **8.22** **MOVED BY COUNCILLOR IRVIN WIEBE**
Dev Agmt **SECONDED BY COUNCILLOR MAURICE BUTLER**
SD **BE IT RESOLVED** that Council authorize the Town of Morden to enter
Highland in to Development Agreement with Highland Park Financial for
Park Fin Subdivision Application 4433-09-5530.
Fairway Dr

(Carried)

Cheryl **9.** **NEW BUSINESS**
Ernie **9.1** **MOVED BY COUNCILLOR ALEX FEDORCUK**
 SECONDED BY COUNCILLOR IRVIN WIEBE
 BE IT RESOLVED that Council grant approval for Subdivision
 Application 4433-10-5609 on the following condition:

- A Development Agreement be entered in to.

(Carried)

9.2 **MOVED BY IRVIN WIEBE**
Canine Unit **SECONDED BY COUNCILLOR WAYNE HOSEA**
BE IT RESOLVED that a Police K-9 Unit be initiated as proposed by
the Chief of Police on the understanding required funds in 2010 come
from funds granted from external organizations.

(Carried)

10. **OTHER BUSINESS**

11. **IN CAMERA**

8:00pm **12.** **MOVED BY COUNCILLOR WAYNE HOSEA**
Adjourn **SECONDED BY COUNCILLOR RON LAVERETY**
BE IT RESOLVED that we do now adjourn.

(Carried)

Next Regular Session of Council on Monday, September 13, 2010 at 7:00P.M.

TOWN OF MORDEN

Mayor

Chief Administrative Officer