

TOWN OF MORDEN

Regular Meeting

April 26, 2011

Minutes of the Regular Meeting of the Council of the Town of Morden held in the Council Chambers at Morden, Manitoba this 26th day of April, A.D. 2011 at 7:00 P.M..

1. Present **Present:** Mayor Ken Wiebe, Councillors, Maurice Butler, Heather Francis, Doug Frost, and Irvin Wiebe
Absent with Regrets: Councillors Brian Minaker, Hank Hildebrand and Youth Member T.J. Matychuk

2. Minutes **MOVED BY COUNCILLOR DOUG FROST
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 April 2011 be adopted as circulated, all Statutory requirements having been fulfilled.
(Carried)

3. RECOGNITION OF INDIVIDUALS AND/OR ORGANIZATION

4. ADDITIONS TO THE AGENDA

5. HEARING OF DELEGATIONS

6. PUBLIC HEARINGS – 7:00P.M.

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

6.1 **Variation Order 2-2011** as submitted by Dave Hildebrand Const to vary the yard requirements as follows: Minimum rear and front yard of 25 feet; front yard being the shorter lot line to Minimum rear yard of 5 feet, front yard of 18 feet and front yard being the longer lot line to allow the construction of a two family dwelling on a lot to be subdivided; for Lot 22 Block 2 Plan 43513 MLTO, 77 Alexandria Bay, Roll No. 203450

Close Meeting

6.1.1 **MOVED BY COUNCILLOR DOUG FROST
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 2 – 2011.

(Carried)

The Presiding Officer called the hearing to order to hear representation regarding Variation Order 2-2011 as submitted by Dave Hildebrand Construction for Lot 22, Block 2, Plan 43513 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 the applicant and to the surrounding property owners of the affected property by regular mail on April 7th, 2011 and posted in the Town of Morden Administration office on April 7th, 2011.

The administration office has received one letter opposing the variation application.

Kyle Thiessen from 75 Alexandria Bay made a presentation regarding his concerns for the proposed two family dwelling to be built. He was concerned that there would be a lack of privacy due to the reduction in the rear yard.

Dave Hildebrand and opponent discussed the concerns and a mutual agreement was made between them.

Close
Hearing
VO 2-11

**6.1.2 MOVED BY COUNCILLOR HEATHER FRANCIS
SECONDED BY COUNCILLOR DOUG FROST
BE IT RESOLVED** that Council close the hearing for Variation Order 2-2011.

(Carried)

6.1.3
VO 2-11

**MOVED BY COUNCILLOR HEATHER FRANCIS
SECONDED BY COUNCILLOR MAURICE BUTLER
BE IT RESOLVED** that Council approve Variation Order No 2-2011 to vary the requirements as follows:

From: Minimum required rear yard of 25 feet
Minimum required front yard of 25 feet
Front yard being the shorter lot line

To: Minimum required rear yard of 5 feet
Minimum required front yard of 18 feet
Front yard being the longer lot line

To allow the construction of a two family dwelling on a lot to be subdivided.

(Carried)

6.2

Variation Order 3-2011 as submitted by Homestead South GP Inc to vary the requirements as follows: Minimum required front yard of 45 feet; Maximum building height of 40 feet to Minimum front yard of 18 feet to Maximum building height of 45 feet to allow the construction of the Homestead Assisted Living facility; for part of Lot 2 Plan 44579 MLT0; 400 Loren Dr; Roll No. 210464

Close
Meeting

**6.2.1 MOVED BY COUNCILLOR HEATHER FRANCIS
SECONDED BY COUNCILLOR DOUG FROST**

BE IT RESOLVED that the Regular meeting of Council be closed to convene as a Planning Hearing to consider Variation Order 3 – 2011.

(Carried)

The Presiding Officer called the hearing to order to hear representation regarding Variation Order 3-2011 as submitted by Homestead South GP Inc. for a part of Lot 2, Plan 44579 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 the applicant and to the surrounding property owners of the affected property by regular mail on April 7th, 2011 and posted in the Town of Morden Administration office on April 7th, 2011.

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

Close
Hearing
VO 3-11

**6.2.2 MOVED BY COUNCILLOR MAURICE BUTLER
SECONDED BY COUNCILLOR HEATHER FRANCIS**

BE IT RESOLVED that Council close the hearing for Variation Order 3-2011.

(Carried)

6.2.3
VO 3-11

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

BE IT RESOLVED that Council approve Variation Order No. 3-2011 to vary the requirements as follows:

From: Minimum required front yard of 45 feet
Maximum building height of 40 feet

To: Minimum required front yard of 18 feet
Maximum building height of 45 feet

To allow the construction of the Homestead Assisted Living facility so it complies with the Town of Morden Zoning By-law 22-08 as amended.

(Carried)

6.3
Close
Meeting

Financial Plan

**6.3.1 MOVED BY COUNCILLOR IRVIN WIEBE
SECONDED BY COUNCILLOR HEATHER FRANCIS**

BE IT RESOLVED that the Regular Meeting of Council be closed to convene as a Public Hearing to present the 2011 Financial Plan of the Town of Morden.

(Carried)

Financial Plan The Presiding Officer called the Public Hearing to order to hear presentation of the 2011 Financial Plan of the Town of Morden pursuant to Section 169(2) of the Municipal Act.

Council must hold a public hearing in respect to the Financial Plan. In order to comply with the hearing requirements of Section 420 of the Municipal Act, the notice of the hearing was inserted into all the mailboxes in Town on April 8th, and advertised in the Morden Times on 14th. The notice of the hearing was also posted in the Municipal Office on April 7th, 2011 up to an including April 26th, 2011.

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

The Mayor on behalf of Council presented the Financial Plan. The public was invited to express questions and/or concerns at the end of the presentation.

Citizens Eight citizens were in attendance for the hearing, a few questions were asked after the presentation.

Close Hearing **6.3.2 MOVED BY COUNCILLOR IRVIN WIEBE
SECONDED BY COUNCILLOR HEATHER FRANCIS
BE IT RESOLVED** that the Public Hearing for the 2011 Financial Plan of the Town of Morden be hereby closed.
(Carried)

Garry **6.3.3** **MOVED BY COUNCILLOR MAURICE BUTLER
Adopt** **SECONDED BY COUNCILLOR DOUG FROST**
Financial Plan **BE IT RESOLVED** that the Council of the Town of Morden adopt the 2011 Financial Plan as presented and approve the Two Year Operating Budget, Capital Budget for 2011 and the Five Year Capital Plan.
(Carried)

7. COMMITTEE REPORTS

8. GENERAL BUSINESS

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

Garry **8.2** **MOVED BY COUNCILLOR DOUG FROST**

By-law
4-2011
1st Reading

SECONDED BY COUNCILLOR MAURICE BUTLER
BE IT RESOLVED that By-law 4-2010 being a by-law of the Town of Morden adopting the Property Tax Levy for the year 2011 be read a first time.

(Carried)

Andy
Brad
Les

8.3
Block Party
request

MOVED BY COUNCILLOR MAURICE BUTLER
SECONDED BY COUNCILLOR HEATHER FRANCIS
BE IT RESOLVED that Council grant permission to "The Block Party" Committee to close the portion of Stephen Street between 7th Street and 10th Street as well as the streets going north/south to the back alleys on these streets for the period of June 3, 2011 at 6:00pm through to June 4, 2011 at 6:00pm.

(Carried)

Cheryl

8.4
Mb. Hydro -
Pembina
Connection

MOVED BY COUNCILLOR DOUG FROST
SECONDED BY COUNCILLOR MAURICE BUTLER
BE IT RESOLVED that Council enter in to an agreement with Manitoba Hydro for underground hydro servicing for the Pembina Connection for the quoted price of \$119,639.81 including taxes.
And Further that \$49,000 of the total amount be funded by the Community Development Reserve.

(Carried)

Ernie
Ken
Cheryl

8.5
Immigration
Meeting
with
Minister

MOVED BY COUNCILLOR HEATHER FRANCIS
SECONDED BY COUNCILLOR DOUG FROST
BE IT RESOLVED that Council request a meeting with the Minister of Manitoba Labour and Immigration to discuss WARP and the impact this act has to immigration, and furthermore a delegation of the Mayor, CAO, Community Development Officer and MCDC chair be authorized to attend said meeting, and the applicable per diem and travel be paid and furthermore an invitation be extended to the Reeve of the RM of Stanley requesting his attendance.

(Carried)

Cheryl

8.6
Community
Garden

MOVED BY COUNCILLOR MAURICE BUTLER
SECONDED BY COUNCILLOR HEATHER FRANCIS
BE IT RESOLVED that Council approval be granted for the preparing of a permanent community garden located at 189 Grant Street, Lot 7, Plan 44521 to be managed by community volunteers at a cost of no more than \$3,000.

(Carried)

8.7
Subdivision
4433-11-5684

MOVED BY COUNCILLOR DOUG FROST
SECONDED BY COUNCILLOR MAURICE BUTLER
BE IT RESOLVED that Council grant conditional approval for

subdivision application 4433-11-5684 for Lot 1, Block 7, Plan 1868 subject to:

1. A variation order be obtained permitting a rear yard of 24.4 feet and a north side yard of 7.4 feet; and
2. The developer paying a capital lot levy of \$2,600 for the new lot created.

(Carried)

Ernie **8.8** **MOVED BY COUNCILLOR HEATHER FRANCIS**
Reply to **SECONDED BY COUNCILLOR IRVIN WIEBE**
J.Schroeder **BE IT RESOLVED** that a letter of response be sent to Jonah
Day Care Schroeder that Council is aware of this need and is working with the
existing day care to come up with a solution.

(Carried)

Ernie **8.9** **MOVED BY COUNCILLOR HEATHER FRANCIS**
Reply to **SECONDED BY COUNCILLOR IRVIN WIEBE**
J.Schroeder **BE IT RESOLVED** that a letter of response be sent to Jonah
Flags Schroeder advising his suggestion will be investigated further.

(Carried)

Ernie **8.10** **MOVED BY COUNCILLOR IRVIN WIEBE**
Resolution **SECONDED BY COUNCILLOR HEATHER FRANCIS**
Special **Whereas** Section 312 of the Municipal Act provides authority for the
Levy to creation of a special levy to provide certain services;
AMM **And Whereas** the process for a special levy provides for a hearing
where property owners would have the opportunity to speak to the
proposed service, and once in place the service is shown separately
on the tax notice in order for property owners to see what the service
cost is to them;
And Whereas Section 312 outlines the specific special levies that may
be undertaken;
And Whereas the Town of Morden considers this list as too restrictive;
Now Therefore Be It Resolved that the AMM be requested to lobby
the Province of Manitoba to amend Section 312 to allow for
municipalities to determine which service they may wish to implement
as a special levy.

(Carried)

Ernie **8.11** **MOVED BY COUNCILLOR HEATHER FRANCIS**
Resolution **SECONDED BY COUNCILLOR DOUG FROST**
Aiport **Whereas** the Province of Manitoba funding provided to airports with
Funding to paved runways is \$2,400 and has been this amount for many, many
AMM years;
And Whereas many of the paved runways in Manitoba provide critical
services such as a landing place for air ambulance aircraft;

And Whereas the operating costs to operate and maintain paved runways has increased substantially over these same years;

Now Therefore Be It Resolved that the AMM be requested to lobby the Province of Manitoba to significantly increase funding to airports with paved runways.

(Carried)

Ernie **8.12** **MOVED BY COUNCILLOR IRVIN WIEBE**
Letter to **SECONDED BY COUNCILLOR HEATHER FRANCIS**
PVHS re: **BE IT RESOLVED** that a letter of response be sent to Pembina Valley
funding Humane Society indicating that funding is not available in the 2011
Budget.

(Carried)

Councillor Doug Frost abstained from vote.

Clare **8.13** **MOVED BY COUNCILLOR MAURICE BUTLER**
MCI re: **SECONDED BY COUNCILLOR HEATHER FRANCIS**
Hockey **BE IT RESOLVED** that Council approve that the normal ice rate of \$58
Academy per hour be charged and a grant be given to reflect a net cost of \$40
rates per hour to Western School Division for the purpose of offering a
Hockey Skills Academy credit course for the 2011-2012 School Year.

(Carried)

C lare **8.14** **MOVED BY COUNCILLOR DOUG FROST**
AEC Fire **SECONDED BY COUNCILLOR MAURICE BUTLER**
Alarm **BE IT RESOLVED** that Council approve an upgrade to the fire alarm
system in the Access Event Centre for the quoted amount of
\$48,451.20 including taxes from Border View Electric Ltd.

(Carried)

8.15 **MOVED BY COUNCILLOR HEATHER FRANCIS**
C/W In- **SECONDED BY COUNCILLOR DOUG FROST**
Camera **BE IT RESOLVED** that Council accept the April 19th, 2011 Committee of
Whole In-Camera recommendations.

(Carried)

9. NEW BUSINESS

10. OTHER BUSINESS

11. IN CAMERA

8:16PM **12. MOVED BY COUNCILLOR DOUG FROST**
Adjourn **SECONDED BY COUNCILLOR MAURICE BUTLER**
BE IT RESOLVED that we do now adjourn.

Next Regular Session of Council on Monday, May 16, 2011 at 7:00P.M.

TOWN OF MORDEN

Mayor

Chief Administrative Officer