

TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on March 18, 2014. In attendance were Deputy Mayor John Funk and Councillors John Falk, Myron Dyck and Angela Janz.

Res#76-14 A. Janz – M. Dyck
In Camera BE IT RESOLVED that in accordance with Section 152(3) of the Municipal Act, that Council meet as committee of the whole in camera.
“Carried”

Res#77-14 M. Dyck – A. Janz
Resume BE IT RESOLVED that the meeting of the committee of the whole be adjourned; AND BE IT FURTHER RESOLVED that Council, while in committee of the whole discussed matters that are in its preliminary stages and respecting which long terms plans for the development of the community.
“Carried”

Res#78-14 M. Dyck – J. Falk
Agenda BE IT RESOLVED that the agenda be approved as presented.
“Carried”

Res#79-14 A. Janz – J. Falk
Minutes BE IT RESOLVED that the minutes of the regular Council meeting held on March 4, 2014 and special meeting of Council held on March 14, 2014 be approved as presented.
“Carried”

Res#80-14 J. Falk – A. Janz
Fair Grant BE IT RESOLVED that an operating grant of \$25,000 be provided to the Niverville Olde Tyme Country Fair committee to assist in their preparations for the 2014 Niverville Olde Tyme Country Fair.
“Carried”

Council concurred that a weed concern in the Highlands as brought forward by Chris Wiebe and Libby Hanna, be forwarded to the Community Operations Committee.

A public hearing being duly advertised was held to hear reasons for and against Conditional Use application C1-14, an application by Frank & Lesley Giardino to allow an eating/take out establishment in a “C2” Highway Commercial Zone on Lot 3, Plan 15525, civically known as 30 Cedar Drive. Frank Giardino provided an overview of their business proposal. There were no concerns brought forward to the proposal.

Res#81-14 A. Janz – J. Falk
C1-14 WHEREAS Frank & Lesley Giardino have applied for a Conditional Use permit
30 Cedar Dr. C1-14 to allow as a conditional use, an eating/take out establishment in a “C2” Highway Commercial Zone on Lot 3, Plan 15525, civically known as 30 Cedar Drive;
AND WHEREAS no concerns were brought forward by the public to the application;
THEREFORE BE IT RESOLVED that Conditional Use application C1-14 to allow as a conditional use an eating/take out establishment in a “C2” Highway Commercial Zone on Lot 3, Plan 15525, civically known as 30 Cedar Drive, be approved as presented.

“Carried”

A public hearing being duly advertised was held to hear reasons for and against Conditional Use application C2-14, an application by Growing Minds Childcare Centre to allow a licensed daycare in a “C1” Downtown Commercial zone on Lot 6, Block 3, Plan 19956, civically known as 166 Main Street. Rhonda Kenning on behalf of Growing Minds Childcare Centre provided an overview of the daycare proposal. There were no concerns brought forward to the proposal.

Res#82-14 M. Dyck – A. Janz
C2-14 WHEREAS Growing Minds Childcare Centre have applied for a Conditional Use
166 Main St. permit C2-14 to allow a licensed daycare in a “C1” Downtown Commercial zone
on Lot 6, Block 3, Plan 19956, civically known as 166 Main Street;
AND WHEREAS no concerns were brought forward by the public to the
application;
THEREFORE BE IT RESOLVED that Conditional Use application C2-14 to
allow as a conditional use a licensed daycare in a “C1” Downtown Commercial
zone on Lot 6, Block 3, Plan 19956, civically known as 166 Main Street , be
approved as presented.
“Carried”

Res#83-14 A. Janz – J. Falk
Micro Seal BE IT RESOLVED that the Micro Seal application specifications attached as
Specs. Schedule A be adopted for use on Town of Niverville roads.
“Carried”

Res#84-14 M. Dyck – J. Falk
Potable WHEREAS the preparing for the installation of potable water lines in the non-
Water service sector of the community will require 4 to 6 months to complete
Engineering background engineering with possible location challenges and regulatory
approvals required;
AND WHEREAS the Government of Canada has announced the Building Canada
Fund for 2014 with priority projects being those that are “shovel ready”
infrastructure projects;
AND WHEREAS Council has stated its priority is providing potable water to the
un-serviced areas of the community;
THEREFORE BE IT RESOLVED that Council, subject to price confirmation,
engage the services of WSP Canada Inc. to complete Part 2 of a study begun in
2010 to ensure the potable water installation project is ready and funding is in
place when the federal government makes its final announcements on the new
Building Canada Fund.
“Carried”

Council concurred to table a decision on engineering services for Heritage Trail
until the April 1, 2014 Council meeting.

Res#85-14 A. Janz – J. Falk
Historical WHEREAS a well built in 1881 located south of Main Street, parallel to the
Artifact railway tracks and on lands purchased by the Town was rediscovered by Town
staff in 2012;
AND WHEREAS this well has been determined to be the oldest historical artifact
known of within Niverville;
THEREFORE BE IT RESOLVED that Council explore ideas to restore and
preserve this well as a community historical feature for future generations
enjoyment.
“Carried”

Res#86-14 M. Dyck – A. Janz
Authorize BE IT RESOLVED that members of Council are authorized to attend the 2014 Municipal Officials Seminar and MTCML Trade Show scheduled for April 16 & 17, 2014 in Brandon.

“Carried”

Res#87-14 A. Janz – M. Dyck
Fire Dept WHEREAS a member of the Niverville Fire Executive has volunteered to cover
Expenditure cost of accommodations, meals and his time should Council agree to cover travel cost and registration for attending the Fire Department Indianapolis Conference in Indianapolis, Indiana from April 7-12, 2014;
AND WHEREAS the primary focus will be on equipment research in preparation for a 15 year Fire Services capital development plan;
THEREFORE BE IT RESOLVED that Council authorizes an expenditure of up to \$1,000 from the fire department budget to be used for airfare and conference fees to send a representative of the Niverville Fire Executive to the Fire Department Indianapolis Conference in Indianapolis, Indiana from April 7-12, 2014;
AND BE IT FURTHER RESOLVED that this expenditure is authorized on a 1 year trial basis with a follow-up report to be provided to determine the overall benefit for the Fire Services and the community.

“Carried”

Res#88-14 M. Dyck – J. Falk
Accounts BE IT RESOLVED that cheques nos. 30500 to 30548 in the amount of \$286,525.77 are hereby approved for payment.

“Carried”

Res#89-14 J. Falk – A. Janz
BL 727-14 BE IT RESOLVED that By-law 727-14, being a by-law to amend the Town of
3rd Reading Niverville Zoning By-law 663-08 whereby part of Parcel 1, Plan 9965 be rezoned from “M1” *Restricted Industrial Zone* to partly “OS” *Parks and Open Space* and partly “R3” *Multiple Family Residential Zone*, be given third reading and passed;
AND BE IT FURTHER RESOLVED THAT the land owner will be required to enter into a Zoning Development Agreement with the Town of Niverville prior to commencing any development and/or phased development on the property.

“Carried”

In Favor: J. Funk, J. Falk, M. Dyck, A. Janz

Council concurred that a request from Abe Wiebe for reimbursement of a plumbing bill to investigate the problem with his sewer line be denied. In accordance with Section 389 of The Municipal Act, the Town is not liable for loss or damage as a result of the discontinuance or interruption of a service or connection. In the event of a sewer main failure, private or public, residents are reminded to contact the Town first before contracting outside plumbing services. Town staff will ascertain where responsibility lies. Residents who contract for services with a private company prior to contacting the Town will be responsible for paying for those services.

Res#90-14 M. Dyck – J. Falk
Tax Sale BE IT RESOLVED that in accordance with Section 365(2) of *The Municipal Act*,
Year that Council designate 2012 as the designated year for tax sale and that all properties in tax default for 2011 or earlier be offered for sale by auction on December 11, 2014 to recover the tax arrears and costs.

“Carried”

Res#91-14 A. Janz – J. Falk
In Camera BE IT RESOLVED that in accordance with Section 152(3) of the Municipal Act,
that Council meet as committee of the whole in camera.
“Carried”

Res#92-14 J. Falk – M. Dyck
Resume BE IT RESOLVED that the meeting of the committee of the whole be adjourned;
AND BE IT FURTHER RESOLVED that Council, while in committee of the
whole discussed matters that are in its preliminary stages and respecting which
long terms plans for the development of the community.
“Carried”

Res#93-14 A. Janz – J. Falk
Advertising WHEREAS certain amendments to the Town of Niverville Zoning By-law 663-08
Fee and specific conditional uses require notification by newsletter/flyer to be
provided to each residential unit in the Town of Niverville in addition to the
normal notification requirements as outlined in the *Planning Act*;
AND WHEREAS fees for advertising Zoning By-law amendments and certain
specific conditional use applications are to be set by Council;
THEREFORE BE IT RESOLVED that where amendments to the Town of
Niverville Zoning By-law 663-08 and certain specific conditional uses require
notification by newsletter/flyer to each residential unit in the Town of Niverville,
that a fee of up to \$450.00 per required published notice be assessed to the
applicant to cover advertising costs.
“Carried”

Res#94-14 A. Janz – J. Falk
Adjourn BE IT RESOLVED that the meeting be adjourned. (9:30 p.m.)
“Carried”

Deputy Mayor

CAO