

TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on May 6, 2014. In attendance were Deputy Mayor John Funk and Councillors John Falk, Myron Dyck and Angela Janz.

Res#134-14 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#135-14 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”

Deputy Mayor John Funk on behalf of Town Council, and Jenifer Bardarson on behalf of the Niverville Chamber of Commerce, were pleased to award the Volunteer Appreciation Award for the month of May to Heather Martens. Heather has been on the Niverville Curling Club board for the past 5 years and has played a large role in establishing the Jr. Curling Program that started in 2013. She has been serving on the Fair Committee for the past 3 years and was also part of the committee who put together the Community Recreation Plan a few years ago.

Res#136-14 J. Falk – A. Janz
Agenda BE IT RESOLVED that the agenda be approved as presented.
“Carried”

Res#137-14 M. Dyck – A. Janz
Minutes BE IT RESOLVED that the minutes of the regular Council meeting held on April 22, 2014 be approved as presented.
“Carried”

A Public Hearing was held at 7:05 p.m. to hear reasons for and against an application from Hanover Homes to re-zone Lots 24, 25, 26, Plan 19956 (civically known as 86 and 112 3rd Avenue S.) from “R1” Single Family Residential to “R3” Multiple Family Residential. All member of Council were present with Deputy Mayor John Funk serving as chairperson. CAO Jim Buys provided an overview of the proposal. A number of residents were present to discuss their support, concerns and opposition to the proposal.

Council concurred to the following:

1. That a request from Conrad Hoepfner to address the section of Krahn Road where trash is being deposited be referred to the Community Operations Committee for their review and recommendation; and
2. That a request from Claude and Angela Leonard to purchase the back lane of Lot 6, Block 8, Plan 19956, civically known as 40 1st Street S., be referred to the Community Operations Committee for their review and recommendation.

Res#138-14 A. Janz – M. Dyck
Snow Policy BE IT RESOLVED that a policy (attached hereto as Schedule A) outlining the Town’s position on snow removal for snow from a private property that has been placed on the public road allowance be accepted as presented.
“Carried”

Res#139-14 A. Janz – J. Falk
Frozen Sewer BE IT RESOLVED that a policy (attached hereto as Schedule B) outlining the
Line Policy Town’s position on reimbursing a private owner when a sewer line has frozen on
public property be accepted as presented.
“Carried”

Res#140-14 A. Janz – J. Falk
Framing BE IT RESOLVED that the Town cover the cost (\$307.47) for framing Federal
Merit Awards government merit awards that will be presented to 2-twenty year service retiring
fire department members.
“Carried”

Res#141-14 A. Janz – M. Dyck
Appoint BE IT RESOLVED that the Town appoint the following individuals as
Firefighters firefighters to the Niverville Fire /EMR Services:
1. Mary Admiraal
2. Jason Propp
3. Tara Fehr
4. Richard Pohrebniuk
5. Shawn Hiebert
“Carried”

Res#142-14 M. Dyck – A. Janz
Authorize BE IT RESOLVED that members of Council, the CAO and the Public Works
manager are authorized to attend a CDEM conference on Capitalizing on the New
Building Canada Fund which will be held on May 20th, 2014 in Winnipeg.
“Carried”

Res#143-14 A. Janz – M. Dyck
Authorize BE IT RESOLVED that members of Council are hereby authorized to attend the
AMM Eastern June District Meeting on June 16, 2014 in Beausejour.
“Carried”

Jeff Stott and Bob Davey, on behalf of Imagine Run, made a presentation to
Council. Bob Davey outlined their proposal to change the route and time of day
for the September 27th, 2014 Imagine Run. Council will forward the route
proposal to the Community Operations Committee for their review and
recommendation.

Res#144-14 M. Dyck – J. Falk
Accounts BE IT RESOLVED that cheques nos. 30585 to 30597 and 30686 to 30728 in the
amount of \$78,219.11 are hereby approved for payment.
“Carried”

Res#145-14 M. Dyck – A. Janz
BL 724-13 BE IT RESOLVED that By-law 724-13, a by-law to amend By-law No. 663-08 as
Withdrawn amended, to allow the subdivision of attached row type dwellings in the “C1”
Downtown Commercial Zone, “C2” Highway Commercial Zone and “C2A”
Restricted Highway Commercial Zone and provide site requirements for the
resulting lots be hereby withdrawn and re-introduced in By-law 733-14.
“Carried”

Res#146-14 J. Falk – A. Janz
BL 732-14 BE IT RESOLVED that By-law No. 732-14, being a by-law to amend by-law
3rd Reading 683-2010; a by-law to fix Election Campaign Expenses and Contributions, be
given third reading and passed.
“Carried”

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

Res#147-14 M. Dyck – J. Falk
Revised Donation Policy WHEREAS with the launch of the Aquatic Campaign there is a concern that the current policy of tax deductible receipting of gifts in denominations of \$50 or greater will inhibit those who would like to contribute but cannot afford the \$50 minimum;
THEREFORE BE IT RESOLVED that the Town’s Donation Receipting policy No. F2-13 be amended to allow for tax deductible donation receipts for gifts in the amount of \$20.00 or greater.
“Carried”

Res#148-14 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#149-14 A. Janz – 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#150-14 A. Janz – M. Dyck
BL 731-14 BE IT RESOLVED that By-law 731-14, being a by-law to amend the Town of
2nd Reading Niverville Zoning By-law 663-08, whereby the area legally described as being Lots 24, 25, and 26 of Block 6, Plan 19956 WLTO, be rezoned from “R1” *Single Family Residential Zone* to “R3” *Multiple Family Residential Zone*, be given second reading subject to the following conditions:
a) That the Developer complete an administrative review with the CAO;
and
b) That the Developer enter into a Development Agreement with the Town prior to the commencement of any construction.
“Carried”

Res#151-14 M. Dyck – J. Falk
BL 735-14 WHEREAS Block 6, Plan 19956 is being identified for higher density residential zoning, including “R2” Two Family Residential Zone along its north limits and “R3” Multiple Family Residential Zone within that area south of the back lane up to residential lots bordering on 3rd Street South;
AND WHEREAS residential lots bordering on 3rd Street South being residential properties having larger frontages and bordering on a proposed “R3” Multiple Family Residential Zone would be located within a higher density residential Block;
AND WHEREAS Council in accordance with The Planning Act of Manitoba deems it in the expedient to amend By-law 663-08 to create additional “R2” Two Family Residential Zone;
THEREFORE BE IT RESOLVED that By-law No. 735-14 be given first reading, a by-law to amend By-law No. 663-08, to rezone “R1” Single Family Residential Zone to “R2” Two Family Residential Zone, being Lots 19 – 23, Block 6, Plan 19956 and Lots 1 and 2, Plan 50391 civically known as 135, 141, 147, 153, 165, 179 3rd Street S. and 127 4th Avenue. S.
“Carried”

Res#152-14 J. Falk – A. Janz
BL 734-14 WHEREAS with second reading of By-law No. 731-14, legislative action has been initiated to create an “R3” Multiple Family Zone on Lots 24-27, Block 6, Plan 19956;
AND WHEREAS the majority of residents in Block 6, Plan 19956 owning large residential lots either facing 3rd or 4th Avenues South have indicated an interest in having their lots rezoned from “R1” Single Family Residential Zone to “R3” Multiple Family Residential Zone;
AND WHEREAS Council in accordance with The Planning Act of Manitoba deems it in the expedient to amend By-law 663-08 to create additional “R3” Multiple Family Residential Zones;
THEREFORE BE IT RESOLVED that By-law No. 734-14 ” be given first reading, a by-law to amend By-law No. 663-08, to re-zone from “R1” Single Family Residential Zone to “R3” Multiple Family Residential Zone, Lots 9-16, Block 6, Plan 19956, civically known as 63,71, 79, 87, 93, 103, 113, 121 4th Avenue S. and Lots 27-30, Block 6, Plan 19956 civically known as 56, 60, 76, 78 3rd Avenue S.

“Carried”

Res#153-14 A. Janz – M. Dyck
Rural Week WHEREAS the Town is an active participant in Rural Week, an initiative to attract medical doctors to practice in rural Manitoba;
AND WHEREAS Dr. Chris Burnett has graciously offered his residence for the Town to host a barbeque in honor of the two medical students who will be in Niverville for the week of May 19, 2014;
THEREFORE BE IT RESOLVED that the Town cover the cost of hosting a barbeque in honor of two medical students who will be serving in Niverville during the week of May 19, 2014.

“Carried”

Res#154-14 A. Janz – M. Dyck
Adjourn BE IT RESOLVED that the meeting be adjourned. (9:45 p.m.)

“Carried”

Deputy Mayor

CAO

Minutes of a Public Hearing regarding a Re-zoning Application from Hanover Homes for Rezoning under the Town of Niverville Zoning By-law No. 663-08, as amended, to re-zone Lots 24, 25, 26, Plan 19956 (civically known as 86 and 112 3rd Avenue S.) from “R1” Single Family Residential to “R3” Multiple Family Residential. All member of Council were present with Deputy Mayor John Funk serving as chairperson. CAO Jim Buys provided an overview of the proposal.

1. Helen Peters (56 3rd Avenue S.) expressed concern about how this would affect her property value. She also asked that Council extend the re-zoning to the north to include properties up to the back lane.
2. Tim Harder (60 3rd Avenue S.) noted that if Council is choosing to re-zone these properties, that they should continue north to the back lane at the same time and not re-zone separate sections at different times. He said that he would be in favor of re-zoning the whole block and expressed concern that his property value would depreciate if not also re-zoned.
3. Trevor Dumont (153 3rd Street. S.) was opposed to the condo development and felt that this would de-value his property. He was also concerned that he would lose his access to the rear of his property (via private property).
4. Amanda Dumont (153 3rd Street S.) was opposed to multi-family development.
5. Kevin Stott (76 3rd Avenue S.) expressed concerns that this development would reduce his property value and he didn't want these to be like the St. Norbert development. He also wanted Council to consider a complete plan for the whole block.
6. Hanover Homes (applicant) expressed that their plan was to put up a beautiful building and that it makes sense to re-zone (north) to the back lane.
7. Abe Doerksen (112 2nd Street S.) had no concerns as long as the development is done properly. He expressed concerns for property values if the development was similar to the one in St. Norbert.
8. Luke Wiebe (owner of property along 4th Avenue S.) expressed that condos nowadays are built better than they have been in the past.

Meeting was adjourned at 7:35 p.m.

Schedule A



TOWN OF NIVERVILLE-PUBLIC WORKS

POLICY NO. PW1-14: SNOW DEPOSITED ON PUBLIC PROPERTY

EFFECTIVE DATE: May 6, 2014 RESOLUTION# 138-14

REVISION DATE: _____ RESOLUTION# _____

Snow Removal Policy when snow from private property placed on public road allowance:

- i. 48 hours written notification that snow must be removed from either the public road allowance and/or public reserve or the Town will complete the task with the cost of the service being charged against the property and failure to pay resulting in the cost being added to property taxes in accordance with the Municipal Act and By-law No. 685-10
- ii. Cost of the service - \$480 per hour with a minimum one hour base charge
- iii. The Town retains to the right to outsource the snow removal cost and charge the property owner the cost of the service plus 10% administrative charge.

Schedule B



TOWN OF NIVERVILLE-PUBLIC WORKS

POLICY NO. PW2-14: FROZEN SEWER LINE ON PUBLIC PROPERTY

EFFECTIVE DATE: May 6, 2014 RESOLUTION# 139-14

REVISION DATE: _____ RESOLUTION# _____

Frozen Sewer line on Town property:

2. Frozen line must be on Town public road allowance as determined by an outside professional firm and the Town's Operations manager;
3. Reimbursement to the private owner will be 50 percent of the cost of opening the line to a maximum of \$250.00.

Blockages on sewer connections from the residence to the sewer main are the homeowners' responsibility. In adverse weather conditions, the Town will come alongside the home owner and assist when it is ascertained that the sewer line has frozen under a Town street. (Normal cost of opening a line is approximately \$400)