

TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on November 18, 2014 at 7:00 p.m. In attendance were Mayor Myron Dyck, Councillors John Falk, Kevin Stott and Chris Wiebe.

Res#328-14 K. Stott – 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#329-14 J. Falk – K. Stott
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 legal, personnel and other matters that are in its preliminary stages and respecting which long terms plans for the development of the community.
“Carried”

Res#330-14 J. Falk – C. Wiebe
Excuse BE IT RESOLVED that Deputy Mayor John Funk be excused from the Council meeting due to a personal commitment.
“Carried”

Res#331-14 C. Wiebe – K. Stott
Agenda BE IT RESOLVED that the agenda be approved subject to the following additions:
New Business – Request for Reimbursement of Southend rental fees – Barry Piasta
New Business – Remuneration for Council director appointment
“Carried”

Res#332-14 C. Wiebe – J. Falk
Minutes BE IT RESOLVED that the minutes of the regular Council meeting held on November 4, 2014 are approved as presented.
“Carried”

Chris Wiebe, a member of Council, informed members of a conflict of interest in matters relating to Parcel 1, Plan 9965.

Res#333-14 J. Falk – K. Stott
Excused BE IT RESOLVED that Councillor Chris Wiebe be excused due to declared conflict of interest with the Rezoning Application for 243 6th Avenue South.
“Carried”

A public hearing was held to hear reasons for and against a re-zoning application from 6736328 MB Ltd. to rezone Part of Parcel 1, Plan 9965, civically known as 243 6th Avenue S., from “R3” Multiple Family Residential Zone to “R2S” Small Lot Two Family Residential Zone, to allow for construction of 2 storey duplexes. CAO Jim Buys provided an overview of the proposal. There was no opposition brought forward to the proposal.

Res#334-14 J. Falk – K. Stott
2nd Reading BE IT RESOLVED that By-law 741-14, a by-law to amend By-law 663-08 as amended, to re-zone part of Parcel 1, Plan 9965 WLTO from “R3” Multiple Family Residential Zone to “R2S” Small Lot Two Family Residential Zone be given second reading.

“Carried”

Res#335-14 K. Stott – J. Falk
3rd Reading BE IT RESOLVED that By-law 741-14, a by-law to amend By-law 663-08 as amended, to re-zone part of Parcel 1, Plan 9965 WLTO from “R3” Multiple Family Residential Zone to “R2S” Small Lot Two Family Residential Zone be given third reading and passed.

“Carried”

In Favor: M. Dyck, J. Falk, K. Stott

Excused: J. Funk, C. Wiebe

Councillor Chris Wiebe rejoined the meeting.

A public hearing was held to hear reasons for and against a proposed zoning by-law amendment to the Town of Niverville Zoning By-law 663-08, as amended, whereby Table V1-1: Residential Use Table under Part VI-Residential Zones would be modified to change all “permitted uses” in the “R3” Multiple Family Residential Zone to “Conditional Use” and to require property owners to enter into a development agreement with the Town. CAO Jim Buys provided an overview of the proposal. There was no opposition brought forward to the proposal.

Res#336-14 J. Falk – C. Wiebe
2nd Reading BE IT RESOLVED that By-law 742-14, a by-law to amend By-law 663-08 as amended, to modify Table V1-1: Residential Use Table under Part VI-Residential Zones to change all “permitted uses” in the “R3” Multiple Family Residential Zone to “Conditional Use” and to require the landowner to enter into a development agreement with the Town be hereby given second reading.

“Carried”

Res#337-14 J. Falk – C. Wiebe
3rd Reading BE IT RESOLVED that By-law 742-14, a by-law to amend By-law 663-08 as amended, to modify Table V1-1: Residential Use Table under Part VI-Residential Zones to change all “permitted uses” in the “R3” Multiple Family Residential Zone to “Conditional Use” and to require the landowner to enter into a development agreement with the Town be hereby given third reading and passed.

“Carried”

In Favor: M. Dyck, J. Falk, K. Stott, C. Wiebe

Excused: J. Funk

A public hearing was held to hear reasons for and against Conditional Use application C5-14, an application from Stantec Architecture on behalf of Hanover School Division to allow for classroom expansion to the west side of the Niverville Elementary School, and Variation V11-14, an application to reduce the front yard setback to allow alignment of the proposed classroom addition to the existing school. Bob Proulx, Hanover School Division Director of Facilities, and Craig Enns, architect with Stantec Architecture provided an overview of the proposal. The proposal touched on the various areas of concern noted by Town

Administration, such as on-site parking for staff, hard-surfacing of the parking lot, amount of green space per student, access/egress points for students, location of loading/unloading of students, designated handicap parking spaces, and landscaping. The Hanover School division provided a written response to concerns noted.

Council concurred to table the decision on Conditional Use application 5-14 and Variation application 11-14 until an opportunity to review submission and discuss data with Mr. Randy Dueck, Superintendent of HSD has taken place.

Res#338-14 J. Falk – C. Wiebe
Additional WHEREAS the Town of Niverville has been in partnership with Native Plant
Lagoon Solutions (NPS), Ducks Unlimited (DU) and the University of Manitoba since
Remediation 2011 in its effort to decommission their lagoon in an economically and
Phase environmentally sustainable way;
AND WHEREAS in addition to the Town of Niverville’s current contribution
agreement with NPS and DU for lagoon remediation, NPS and the University of
Manitoba are requesting consideration to develop an additional phase for the
period of April 1, 2015 to March 31, 2017, to partner with and leverage additional
grant funding from the Lake Winnipeg Basin Stewardship Fund (LWBSF) to
examine the following priorities:
1) Reducing nutrient inputs from rural and urban sources;
2) Controlling point and non-point sources of pollution;
3) Rehabilitating priority aquatic ecosystems that support nutrient reduction
and sequestration; and
4) Final landscaping of the wetlands.
THEREFORE BE IT RESOLVED that the Town of Niverville agrees in principle
and is open to consider developing a subsequent wetlands development stage
subject to confirmation of project objectives from the Province of Manitoba and
the development of a comprehensive budget.
“Carried”

Mayor Myron Dyck expressed his expectation of the Association of Manitoba Municipalities convention scheduled for Nov. 24-26, 2014. He also advised that construction for the new sidewalk on Heritage Trail has been rescheduled to spring of 2015.

Res#339-14 K. Stott – J. Falk
Accounts BE IT RESOLVED that cheques nos. 31504 to 31535 in the amount of
\$481,267.07 are hereby approved for payment.
“Carried”

Res#340-14 J. Falk – C. Wiebe
Sept/14 F.S. BE IT RESOLVED that the September 30, 2014 financial statement be accepted
as presented.
“Carried”

Res#341-14 C. Wiebe – K. Stott
Nov.18 F.P. BE IT RESOLVED that the November 18, 2014 financial position be accepted as
presented.
“Carried”

Res#342-14 C. Wiebe – J. Falk
1st Reading BE IT RESOLVED that By-law 743-14, being a by-law to regulate the proceedings and conduct of the Council and the committees thereof, is given first reading.

“Carried”

Res#343-14 J. Falk – C. Wiebe
2nd Reading BE IT RESOLVED that By-law 743-14, being a by-law to regulate the proceedings and conduct of the Council and the committees thereof, is given second reading.

“Carried”

Res#344-14 J. Falk – C. Wiebe
1st Reading BE IT RESOLVED that By-law 744-14, being a by-law to govern the organization of the Town of Niverville and the committees thereof, is given first reading.

“Carried”

Res#345-14 J. Falk – C. Wiebe
2nd Reading BE IT RESOLVED that By-law 744-14, being a by-law to govern the organization of the Town of Niverville and the committees thereof, is given second reading.

“Carried”

Council concurred to the following:

- 1) That a subdivision request from Henry and Dorothy Dueck (Lot 1, Block 5, Plan 19956, civically known as 136 4th Avenue S.) be tabled and reviewed at the November 20th Ways & Means Committee meeting.
- 2) That the Christmas radio advertising use local business representatives and Mayor Dyck as the Town representative with Councillor Wiebe being asked to contact local businesses.

Res#346-14 K. Stott – J. Falk
Grant BE IT RESOLVED that Barry Piasta be provided a grant of \$157.50 for the rental cost of the South End of the arena and grounds for the Community New Year’s Eve event.

“Carried”

Res#347-14 K. Stott – J. Falk
Delegate WHEREAS from time to time Council may delegate duties to unelected citizens
Remuneration in regional organizations to which the Town is required to appoint a director and to which the alternate member is an elected member of Council;
AND WHEREAS Council sets remuneration by by-law to have council members serve in this capacity;
AND WHEREAS it is deemed appropriate that both elected and non-elected appointed directors be reimbursed an equal amount for their services;
THEREFORE BE IT RESOLVED that effective November 19, 2014, residents appointed by Council to represent the Town as directors on regional organizations where a Council member serves as the alternative, that the non-elected director be reimbursed for services at the rate currently in effect in the Niverville Council remuneration by-law.

“Carried”

- Res#348-14 C. Wiebe – K. Stott
 Signing Authority BE IT RESOLVED that in accordance with Section 134(1) of The Municipal Act, that agreements and cheques must be signed by one member of Council and one of the following employees – G. Jim Buys, Dawn Penner or Audrey Neufeld.
 “Carried”
- Res#349-14 K. Stott – C. Wiebe
 BE IT RESOLVED that the public portion of the meeting be adjourned and that following a recess, council reconvene as committee of the whole in camera .
 “Carried”
- Res#350-14 J. Falk – K. Stott
 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#351-14 K. Stott – C. Wiebe
 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#352-14 C. Wiebe – K. Stott
 Adjourn BE IT RESOLVED that the meeting be adjourned. (10:38 p.m.)
 “Carried”

Mayor

CAO