

TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on March 3, 2015 at 8:00 a.m. In attendance were Mayor Myron Dyck, Deputy Mayor John Funk and Councillors John Falk, Kevin Stott and Chris Wiebe.

Res#63-15 J. Falk – J. Funk
In Camera BE IT RESOLVED that in accordance with Section 152(3) of the Municipal Act, that council meet in camera.
“Carried”

Councillor Chris Wiebe excused himself from the Council meeting while held in camera on matters dealing with Heritage Lane Builders development on lands fronting on Sixth Avenue South. He expressed a conflict of interest, vacated the Council chambers and only returned following the completion of discussions relating to this matter.

Res#64-15 C. Wiebe – J. Falk
Resume BE IT RESOLVED that the meeting of the Council in camera be adjourned; AND BE IT FURTHER RESOLVED that the Council while in camera discussed matters in the preliminary stages respecting long term plans for the development of the community.
“Carried”

Res#65-15 J. Funk – C. Wiebe
Agenda BE IT RESOLVED that the agenda be adopted as presented.
“Carried”

Res#66-15 J. Falk - C. Wiebe
Minutes BE IT RESOLVED that the minutes of February 17, 2015 be accepted.
“Carried”

Res#67-15 J. Funk – K. Stott
Public Hearing BE IT RESOLVED that the Council meeting agenda be tabled and that
BL 748-15 Council sit in accordance with the Planning Act to hear Public Hearing for By-law No. 748-15, a by-law to change the zoning on:
• Lots 9-28 and 37-44, Plan 55370 WLTO from “R2” *Two Family Residential Zone* to “R1S” *Small Lot Single Family Residential Zone*;
• Lots 1-8, Plan 55370 from “R2” *Two Family Residential Zone* to “R3” *Multiple Family Residential Zone*
“Carried”

Res#68-15 J. Funk – J. Falk
BL 748-15 WHEREAS By-law No. 748-15 has been duly advertised in accordance with the
2nd Reading Planning Act and no concerns or expressions of objection to the rezoning have been received;
THEREFORE BE IT RESOLVED that By-law No.748-15 be given second reading.
“Carried”

Res#69-15 C. Wiebe – J. Falk
BL 748-15 BE IT RESOLVED that By-law No. 748-15, being a By-law to change the zoning
3rd Reading on Lots 9-28 and 37-44, Plan 55370 WLTO from “R2” *Two Family Residential Zone* to “R1S” *Small Lot Single Family Residential Zone*; and Lots 1-8, Plan 55370 from “R2” *Two Family Residential Zone* to “R3” *Multiple Family*

Residential Zone is given third reading, passed, signed by the Mayor and CAO and sealed.

“Carried”

In Favor: Myron Dyck, John Funk, John Falk, Kevin Stott and Chris Wiebe

Res#70-15 C. Wiebe – J. Falk

C2-15 WHEREAS application was made by Burt Hiebert of Riverside Electric for the construction as a planned unit development for Lot 1, Plan 47549, being a detached building consisting of a 4,020 sq. ft. dance studio and a 1,440 sq. ft. storage and office building;

AND WHEREAS in accordance with the Planning Act the conditional use application has been duly advertised;

THEREFORE BE IT RESOLVED that Conditional Use application C2-15 is approved subject to the applicant entering into a development agreement with the Town of Niverville which will address such matters as traffic flow and parking concerns.

“Carried”

Res#71-15 J. Falk – C. Wiebe

BL 747-14 WHEREAS 30 citizens have signed a petition expressing their opposition to the rezoning of Lots 1 and 2, Plan 52450 from “R1” *Single Family Residential Zone* to “R3” *Multiple Family Residential Zone*;

AND WHEREAS Council while supporting the principal of higher density in the core area of Town, also understands the need for balanced planning in respecting and addressing concerns raised by citizens;

AND WHEREAS Council in this situation seeks to maintain citizens’ right of appeal to the Manitoba Municipal Board should citizens be of the opinion their concerns have not been adequately heard;

THEREFORE BE IT RESOLVED that Council will not consider second reading to By-law No. 747-14 for the rezoning of Lots 1 and 2, Plan 52450 from “R1” *Single Family Residential Zone* to “R3” *Multiple Family Residential Zone* until an agreement between the Town of Niverville and the Developer has been drafted and is prepared for registration against Lots 1 and 2, Plan 52450, said agreement to address, where possible, concerns raised by citizens and to include drawings of the proposed building and site plan.

“Carried”

Council resumed its former order of business.

Res#72-15 J. Funk – K. Stott

Appointment WHEREAS the Town has advertised the opportunity for citizens to volunteer Crow Wing their services as a community representative(s) on the Crow Wing Trail Trail Assoc. Association;

AND WHEREAS a citizen has volunteered her services to serve the community in this manner;

THEREFORE BE IT RESOLVED that Libby Hanna be appointed as a representative from the Town of Niverville on the Crow Wing Trail Association.

“Carried”

Res#73-15 J. Funk – K. Stott

Authorize WHEREAS Council has requested a meeting with the school board trustees representing Ward 1 of the Hanover School District to discuss educational concerns within the community;

AND WHEREAS the trustees have forwarded the request to the school board superintendent for preliminary review;
THEREFORE BE IT RESOLVED that Council authorizes the mayor to meet with the Hanover School Board superintendent on March 6, 2015.

“Carried”

Res#74-15 J. Funk – C. Wiebe
Accounts BE IT RESOLVED that cheques nos. 31985 to 32022 totalling \$77,822.58 be hereby approved for payment.

“Carried”

Res#75-15 C. Wiebe – J. Falk
Roadway WHEREAS in the interest of long term planning for the Niverville Business Park Investigation there exists the requirement to complete a roadway investigation on Sixth Avenue MMM Grp North from Main Street to Stott Road;
THEREFORE BE IT RESOLVED that the MMM Group Ltd. be hired at the sum of \$11,550 to complete a roadway investigation report on Sixth Avenue North from Main Street to Stott Road.

“Carried”

Res#76-15 J. Falk – C. Wiebe
Heritage BE IT RESOLVED that the Town on behalf of the Niverville Heritage Gardens Community Gardens Committee obtain membership in the Manitoba Grant Communities in Bloom organization for 2015 and cover the cost of two judge’s meals and hotel costs to a maximum financial contribution of \$1000.00, with the understanding that the entire community must be invited to participate in the program.

“Carried”

Res#77-15 J. Funk – C. Wiebe
B.L.C. BE IT RESOLVED that a building location certificate be obtained for the Niverville Community Campus at a cost of \$675.00.

“Carried”

Res#78-15 J. Falk – C. Wiebe
C4-14 BE IT RESOLVED that Conditional Use Order C4-14 be amended to read:
Amendment That the serving of alcoholic beverages with meals be permitted during the following hours only:
Monday – Friday 11:00 a.m. – 12 midnight
Saturday – Sunday 12:00 noon – 8:30 p.m.
a) That where the above conditions conflict with Liquor and Gaming Authority of Manitoba (LGA) regulations, the most restrictive regulations shall prevail.

“Carried”

Res#79-15 J. Funk – C. Wiebe
Rental Space WHEREAS the Town requires additional office and storage space within the Tender Niverville Town Office;
AND WHEREAS Council envisions several options that may be considered to address this requirement but in the interim is prepared to vacate the Council Chambers which in turn can be utilized for staffing purposes;
THEREFORE BE IT RESOLVED that the Town tender for rental space which is handicap accessible and provides adequate parking to host its regular Council meetings on the first and third Tuesdays of each month.

“Carried”

- Res#80-15 J. Funk – J. Falk
 In Camera BE IT RESOLVED that in accordance with Section 152(3) of the Municipal Act,
 that Council meet in camera.
 “Carried”
- Res#81-15 C. Wiebe – K. Stott
 Resume BE IT RESOLVED that the meeting of the Council in camera be adjourned;
 AND BE IT FURTHER RESOLVED that the Council while in camera discussed
 matters in the preliminary stages respecting long term plans for the development
 of the community and staffing matters.
 “Carried”
- Res#82-15 C. Wiebe – J. Funk
 Financial BE IT RESOLVED that the December 31, 2014 financial statement be accepted.
 “Carried”
- Res#83-15 C. Wiebe – J. Falk
 BL 749-15 BE IT RESOLVED that By-law No. 749-15, being a Council remuneration by-
 law be given first reading.
 “Carried”
- Res#84-15 K. Stott – C. Wiebe
 Adjourn BE IT RESOLVED that the meeting be adjourned. (11:25 a.m.)
 “Carried”

Mayor

CAO