

TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on November 15, 2016 at 7:00 p.m. at the Niverville Heritage Centre. In attendance were, Deputy Mayor John Funk, Councillors Kevin Stott, Chris Wiebe and Nathan Dueck. Absent - Mayor Myron Dyck.

Res#307-16 K. Stott – C. Wiebe
In Camera BE IT RESOLVED that in accordance with Section 152(3) of the Municipal Act, that Council meet in camera.
“Carried”

Res#308-16 N. Dueck – C. Wiebe
Resume BE IT RESOLVED that the meeting of Council held 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#309-16 N. Dueck – C. Wiebe
Agenda BE IT RESOLVED that the agenda be approved as presented.
“Carried”

Res#310-16 K. Stott – C. Wiebe
Minutes BE IT RESOLVED that the minutes of the regular Council meeting held on November 1, 2016 and for the record, noted that the special meeting of Council that was cancelled be approved.
“Carried”

Council concurred to meet as the Board of Revision at 7:06 p.m.

Board of Revision was recessed at 7:20 p.m. and scheduled to be re-convened on December 6, 2016 at 9:05 a.m.

In accordance with Section 172(2) of The Planning Act, the Public Hearing for Conditional Use application C12-16 was held at 7:22 p.m. Cliff Kehler of Three Way Builders on behalf of property owner Miguel Forest, had requested the conditional use to allow in addition to the one permitted identification sign, 10 additional signs to be used for advertising and directional purposes on Lot 22, Block 1, Plan 55833, civically known as 20 Drover’s Run. Chief Administrative Officer Jim Buys provided an overview of the proposal and noted that the Town’s Zoning Bylaw 663-08, as amended, did not speak to this type of development and as such, permission to post the additional signage was by way of a conditional use application. Cliff Kehler and Len Neufeld of Three Way Builders along with property owner Miguel Forest were present to answer any questions. No concerns, whether in written form or verbal, had been brought forward in opposition to the application.

Res#311-16 N. Dueck – C. Wiebe
C12-16 WHEREAS a Public Hearing was held regarding Conditional Use Application C12-16, an application from Cliff Kehler of Three Way Builders on behalf of property owner Miguel Forest, to allow in addition to the one permitted identification sign, 10 additional signs to be used for advertising and directional purposes on Lot 22, Block 1, Plan 55833, civically known as 20 Drover’s Run;

AND WHEREAS the application was duly advertised and there were no concerns brought forward;

THEREFORE BE IT RESOLVED that Conditional use Application C12-16, an application from Cliff Kehler of Three Way Builders on behalf of property owner Miguel Forest to allow in addition to the one permitted identification sign, 10 additional signs to be used for advertising and directional purposes on Lot 22, Block 1, Plan 55833, civically known as 20 Drover's Run be approved as presented.

“Carried”

Barry Piasta made a presentation to Council outlining his plans to host a public Family Fun night on December 31, 2016. In preparation for this event, Mr. Piasta has rented the South End of the arena and ice area. As per Town policy, he has requested a reimbursement of these expenses. Council thanked Mr. Piasta for his efforts to initiate this community event.

Res#312-16 K. Stott – N. Dueck
Grant BE IT RESOLVED that as per Town policy commencing April 20, 2010 on waiving rental fees, that Barry Piasta be provided a grant of \$257.25 for reimbursement of the rental fees for the South End of the arena and ice area for the Community New Year's Eve family event that he is hosting.

“Carried”

Res#313-16 C. Wiebe – N. Dueck
BL 691-10 BE IT RESOLVED that Council approves a revised fee schedule for the Animal
Schedule A Control Bylaw 691-10, reflecting current realities including a licence renewal
Revision reduction fee, attached hereto as Schedule A.

“Carried”

Res#314-16 K. Stott – C. Wiebe
Authorize BE IT RESOLVED that Council authorizes permission to go beyond the per diem maximum for a dinner to be held on November 19, 2016 for Council members, the CAO, together with their spouses to conclude the Planning Session work and subject to availability, to recognize the community service work provided by former Councillor John Falk.

“Carried”

Res#315-16 K. Stott – C. Wiebe
Accounts BE IT RESOLVED that cheque nos. 34389 to 34430 totalling \$178,282.50 be hereby approved for payment.

“Carried”

Res#316-16 N. Dueck – K. Stott
Oct. F.S. BE IT RESOLVED that Council approves the October 31, 2016 Financial Statement as presented.

“Carried”

Res#317-16 C. Wiebe – K. Stott
MB Hydro BE IT RESOLVED that Council authorizes an amendment to the street lighting
Contract contract currently in force between Manitoba Hydro and the Town of Niverville,
Amendment to permit the addition of a total of 22 luminaires on 6th Avenue N. from Hwy 311 to the Hanville subdivision and on the subdivision commercial lots bordering 6th Avenue N.

“Carried”

Res#318-16 C. Wiebe – K. Stott
Cancel A/R WHEREAS Hanover Homes 5889775 Manitoba Ltd. applied for re-zoning on Lots 24, 25, 26 Block 6, Plan 19956 on March 20, 2014;
AND WHEREAS a condition of the re-zoning application required the applicant to pay for costs that are invoiced at a later date;
AND WHEREAS the additional re-zoning costs were invoiced and the current outstanding accounts receivable for Hanover Homes 5889775 is \$14,118.30;
AND WHEREAS the Town will be unable to collect the outstanding balance as the applicant has declared bankruptcy;
THEREFORE BE IT RESOLVED that due to a declared bankruptcy, that the Finance Administration Manager is authorized to write off the \$14,118.30 outstanding accounts receivable from Hanover Homes 5889775 Manitoba Limited.
AND BE IT FURTHER RESOLVED that the Town will review with their solicitor, options for recouping the cost of cancelling the accounts receivable balance.

“Carried”

Res#319-16 N. Dueck – C. Wiebe
Advertising BE IT RESOLVED that the Town will purchase a Christmas Advertisement in the Carillon News for \$156.00 plus applicable taxes.

“Carried”

Res#320-16 N. Dueck – K. Stott
Adjourn BE IT RESOLVED that the meeting be adjourned. (8:01 p.m.)

“Carried”

Mayor

Town Manager

Minutes of the 2017 Board of Revision held on November 15, 2016 at 7:06 p.m. at the Niverville Heritage Centre. Meeting was called to order by Deputy Mayor John Funk with members of Council sitting as the Board of Revision and G. Jim Buys serving as recording secretary.

The assessment officer and defendants were sworn in prior to providing testimony before the Board.

Wade Wiebe, assessment officer for the Province of Manitoba, reviewed the process of assessment, noting that the 2017 assessment value is based on the sale price as of April 1, 2014.

The letter of appeal from Lorie Williams-Marschall, with respect to Roll 45888, Lot 95, Plan 47826, civically known as 113 Breckenridge Drive was read into the record.

Ms. Williams-Marschall provided a list of the sale values of comparable properties as prepared by her Realtor. The Board of Revision was adjourned until re-convened on December 6, 2016 at 9:05 a.m. to review the evidence presented.

Adjourned 7:20 p.m.

SCHEDULE A - PENALTIES AND IMPOUNDMENT FEES

License Fees

New license and license renewal for dogs and cats will be an annual fee of \$20.00, valid for 12 months from date of issue. Renewals of licenses done prior to expiration of license will see a reduced fee of \$15.00 for annual license. This license will not be transferable to another dog or cat, however, if a change of ownership of a dog or cat already licensed occurs, the transfer fee shall be \$10.00 (subject to annual fees thereafter). A Hobby Breeder's License is \$20.00. Lost tag replacement is \$10.00.

** All owners must provide documentation showing dogs and cats are up to date on rabies and distemper shots from their veterinarian.

In the event that an impounded animal is a dog or cat that is unlicensed or has expired at the time of apprehension, the license fee shall be \$100.00 (this is in addition to impoundment fees).

The license fee for a dangerous dog or cat shall be \$250.00.

Penalties and impoundment Fees

For any dog, cat or any other domestic pet that was apprehended running at large or that was for any other reason, impounded by the Animal Control Officer

- For first impoundment, flat fee plus processing fees incurred in the capture of the dog or cat by the Animal Control Officer: \$200.00
- For second impoundment, flat fee plus processing fees incurred in the capture of the dog or cat by the Animal Control Officer: \$360.00
(if it occurs within 12 months of the first offense) \$500.00
- Animal disposal charge (per animal) \$100.00

For voluntary impoundment:

- For each day of impoundment: \$10.00/animal

Impoundment fees for Livestock:

- For each day of impoundment: \$15.00/animal

Impoundment fees for dangerous animals, quarantined animals and restricted animals:

- For each day of impoundment: \$25.00/animal

Impoundment and fine (see section 22)

Temporary permit for Restricted Animal As determined by Resolution of Council