

TOWN OF NIVERVILLE

Minutes of the regular meeting of the Niverville Town Council held on December 19, 2017 at 7:00 p.m. at the Niverville Heritage Centre. In attendance were Mayor Myron Dyck, Deputy Mayor John Funk, Councillors Kevin Stott, Chris Wiebe and Nathan Dueck.

Res#376-17 J. Funk – C. Wiebe
Agenda BE IT RESOLVED that the agenda be approved subject to the following addition:
10 g) Request for stop sign installation
“Carried”

Res#377-17 N. Dueck – J. Funk
Minutes BE IT RESOLVED that the minutes of the regular Council meeting held on December 5, 2017 and Special Council meeting held on December 12, 2017 be approved as presented.
“Carried”

A Public Hearing was held regarding Variation Application V6-17, an application from Sunset Estates to vary the rear yard setback from 20 feet to 15 feet on Lot 5, Block 1, Plan 55833, zoned R4 Multiple Family Hi-rise Residential, civically known as 47 Tweed Lane. This variation is requested to permit the construction of multi-family row housing. There was no opposition brought forward to the application.

Res#378-17 J. Funk – N. Dueck
V6-17 WHEREAS a Public Hearing was held for Variation Application V6-17, an application from Sunset Estates to vary the rear yard setback from 20 feet to 15 feet on Lot 5, Block 1, Plan 55833, zoned R4 Multiple Family Hi-rise Residential, civically known as 47 Tweed Lane;
AND WHEREAS this variation order is requested to permit the construction of multi-family row housing;
AND WHEREAS the application was duly advertised and there were no concerns brought forward;
THEREFORE BE IT RESOLVED that Variation Application V6-17 from Sunset Estates to vary the rear yard setback from 20 feet to 15 feet on Lot 5, Block 1, Plan 55833, zoned R4 Multiple Family Hi-rise Residential, civically known as 47 Tweed Lane be approved as presented.
“Carried”

A Public Hearing was held at 7:12 p.m. regarding a plan of subdivision for Pt. NE¼ 25-7-3EPM, being Community Planning file number 4340-17-7944, registered owner Sunset Estates Ltd., to create 39 lots for townhouse development as well as a new proposed road and two public reserves. The new public road will connect Krahn Road to Tweed Lane and will be used to access a portion of the proposed lots. There was no opposition brought forward to the application.

Res#379-17 N. Dueck – J. Funk
Subdivision WHEREAS Section 125(2) of The Planning Act requires Council to hold a Public Hearing if a proposed subdivision will result in the creation of a new public road;
AND WHEREAS the plan of subdivision for Pt. NE ¼ 25-7-3EPM being Community Planning file number 4340-17-7944 will create a new public road

which will connect Krahn Road to Tweed Lane and will be used to access a portion of the proposed lots;
AND WHEREAS the Public Hearing for the proposed plan of subdivision for Pt. NE ¼ 25-7-3 EPM was duly advertised;
AND WHEREAS no opposition was received to the proposal;
THEREFORE BE IT RESOLVED that the plan of subdivision for Pt. NE ¼ 25-7-3EPM, being Community Planning file number 4340-17-7944 registered owner Sunset Estates Ltd., be approved subject to:

- i. the applicant entering into a Development Agreement with regards to the construction of municipal infrastructure.

“Carried”

A Public Hearing was held regarding Variation Application V7-17; an application from Sunset Estates to vary the minimum site area from 12,500 square feet to a range of 1,840 to 3,250 square feet and the minimum site width from 100 feet to a range of 20 to 26 feet for Lot 3, Plan 59619, Lot 19-21, Block 1 and Lot 24-25 Block 2 Plan 55833 (Dochart Gate). Town Manager Jim Buys provided an overview of the proposal. There was no opposition brought forward to the application.

Res#380-17 C. Wiebe – N. Dueck
V7-17

WHEREAS a Public Hearing was held for Variation Application V7-17, an application from Sunset Estates to vary the minimum site area from 12,500 square feet to a range of 1,840 to 3,250 square feet and the minimum site width from 100 feet to a range of 20 to 26 feet for Lot 3, Plan 59619, Lot 19-21, Block 1 and Lot 24-25 Block 2 Plan 55833 (Dochart Gate);
AND WHEREAS the application was duly advertised and there were no concerns brought forward;
THEREFORE BE IT RESOLVED that Variation Application V7-17, an application from Sunset Estates to vary the minimum site area from 12,500 square feet to a range of 1,840 to 3,250 square feet and the minimum site width from 100 feet to a range of 20 to 26 feet for Lot 3, Plan 59619, Lot 19-21, Block 1 and Lot 24-25 Block 2 Plan 55833 (Dochart Gate) be approved as presented.

“Carried”

Res#381-17 J. Funk – C. Wiebe
Cannabis
Decision

WHEREAS the Province of Manitoba has requested that municipalities respond to a Municipal Survey on Cannabis Legalization and Regulation by December 22, 2017;
AND WHEREAS a “no” decision would require a referendum to initiate a change and whereas a “yes” decision doesn’t necessarily require a referendum to change;
AND WHEREAS Council desires to keep Niverville’s options open as there are still unanswered questions on governing regulations at this time;
THEREFORE BE IT RESOLVED that the Niverville Town Council is in favor of allowing both the production and sale of cannabis in the community subject to the following:

- (1) applicants in compliance with regulations as set by the Province of Manitoba; and
- (2) amendments to the Niverville Zoning By-law that make the location of the retail cannabis building a Conditional Use under regulations of The Planning Act.

“Carried”

Res#382-17 C. Wiebe – J. Funk
 Accounts BE IT RESOLVED that cheque nos. 35704 to 35750 totalling \$187,445.48
 be hereby approved for payment.
“Carried”

Res#383-17 K. Stott – J. Funk
 Nov. F.S. BE IT RESOLVED that Council approves the November 30, 2017 Financial
 Statement as presented.
“Carried”

Res#384-17 C. Wiebe – K. Stott

Interim BE IT RESOLVED that the following interim budget be adopted for 2018:

Budget	General Government Services	\$299,000	
	Protective Services	178,000	
	Transportation	470,000	
	Environmental Health	112,000	
	Public Health and Welfare Services	30,000	
	Environmental Development Services	88,000	
	Economic Development Services	38,000	
	Recreation and Cultural Services	183,000	
	Fiscal Services	<u>334,000</u>	
	<i>Sub-Total</i>		\$1,732,000
	Water Utility	1,265,000	
	Sewer Utility	<u>101,000</u>	
	<i>Sub-Total</i>		\$1,366,000
	TOTAL INTERIM		<u>\$3,098,000</u>

AND BE IT FURTHER RESOLVED that the Town Manager or his delegate be authorized to pay all regular recurring expenses.

“Carried”

Res#385-17 K. Stott – C. Wiebe
 BL 786-17 BE IT RESOLVED that By-law 786-18, being a staff remuneration by-law, is
 1st Reading given first reading.
“Carried”

Res#386-17 N. Dueck – K. Stott
 Speed Signs WHEREAS Council desires to increase the safety of pedestrians by bringing awareness to motorists of the speed that they are travelling within a restricted speed zone;
 AND WHEREAS electronic speed signs are known to be an effective tool in reminding motorists to slow down;
 AND WHEREAS a cost savings of \$700 can be realized by purchasing electronic speed signs in 2017 rather than delaying a purchase to 2018;
 THEREFORE BE IT RESOLVED that Council authorizes the purchase of 2 portable electronic speed display signs at a cost of \$8,043.34 (tax included).
“Carried”

Res#387-17 J. Funk – C. Wiebe
 Agreement WHEREAS the Town requires access to the most southerly twenty-four feet of Lot 1, Plan 61759 in order to construct, install and maintain public works, including signage for the Niverville Business Park;
 AND WHEREAS Lot 1, Plan 61759 is privately owned by Bristol Hauling Inc.;

THEREFORE BE IT RESOLVED that the Mayor and Town Manager are authorized to enter into a Statutory Easement Agreement with Bristol Hauling Inc. for access to the most southerly twenty-four feet of Lot 1, Plan 61759 in order to construct, install and maintain public works, including signage for the Niverville Business Park.

“Carried”

Res#388-17 K. Stott – J. Funk

O/S Security WHEREAS Niverville’s Finance Department has compiled a listing of Deposits outstanding and unclaimed Building Permit security deposits from 2013 and 2014;

AND WHEREAS the list represents those properties for which final inspections have not been completed satisfactorily nor have arrangements been made by the building permit applicant to complete the final inspections as per Town policy; AND WHEREAS the residences have all been occupied with some properties having been sold to a third party since originally being constructed; THEREFORE BE IT RESOLVED that the expired Building Permit security deposits from 2013 and 2014 in the amount of \$21,000.00 for properties that have not received satisfactory final inspections nor arrangements made for the completion of same be moved to the General Operating fund.

AND BE IT FURTHER RESOLVED that Council is prepared to review requests for reimbursement of the Building Permit security deposits from 2013/2014 should the original applicant provide evidence of compliance with final inspections and submit a written request to Council for consideration before December 31, 2018.

“Carried”

Res#389-17 J. Funk – N. Dueck

Traffic Study WHEREAS a Traffic Impact Study is required by Manitoba Infrastructure (MI) for new residential and commercial development to be located west of the Niverville Centennial Arena;

AND WHEREAS the development will be co-located with a proposed community resource centre;

THEREFORE BE IT RESOLVED that Council agrees it will share equally (50/50) with the Developer the cost for the Traffic Impact Study being \$15,200 plus applicable taxes, as required by MI for the new development and proposed community resource centre.

“Carried”

Council concurred ice should be installed at the new outdoor rink at the Niverville Arena, with access permitted to the ice subject to the Operations Manager’s decision. A concern for safety for those parking/walking in the area has been noted as the contractor has been unable to have the safety netting installed at the north/south ends of the outdoor rink.

Res#390-17 C. Wiebe – J. Funk

Excused BE IT RESOLVED that Councillor Kevin Stott be excused due to an indirect pecuniary interest as per Section 4(1)(b) of *The Municipal Council Conflict of Interest Act* with the awarding of the Curling Rink Ice Maintainer Contract

“Carried”

Councillor Stott left the Council Chambers.

Res#391-17 C. Wiebe – N. Dueck
Curling Rink BE IT RESOLVED that a contract for the 2018 Curling Rink Ice Maintainer be
Contract entered into between the Town and Allsons.

“Carried”

Councillor Stott rejoined the meeting.

Res#392-17 N. Dueck – J. Funk
Stop Sign WHEREAS in 2017 The Highlands has experienced further development of St.
St. Andrews/ Andrews Way to the (south) juncture of Krahn Road;
Krahn Rd. S. AND WHEREAS an interim stop sign is required at the south juncture of St.
Andrews Way and Krahn Road as a safety measure until the area is fully
developed;
THEREFORE BE IT RESOLVED that Council approves the installation of an
interim stop sign at the south junction of St. Andrews Way and Krahn Road.
AND BE IT FURTHER RESOLVED that the cost of the sign installation as per
Development Agreement will be the responsibility of the Developer with Town
staff to install.

“Carried”

Res#393-17 N. Dueck – C. Wiebe
Adjourn BE IT RESOLVED that the meeting be adjourned. (7:56 p.m.)

“Carried”

Mayor

Town Manager