

RURAL MUNICIPALITY OF WHITEMOUTH

Minutes of the regular meeting of Council held on March 9, 2016, at 6:00 p.m. in the Council Chambers of the Rural Municipality of Whitemouth.

Present: Reeve Dowbyhuz, Deputy Reeve Saxler, Councillors Bachman, Nichol and Sikkenga; Chief Administrative Officer Johnson

Also Present: Recording Secretary Marion

Adoption of Agenda:

Moved by Sikkenga and seconded by Bachman

63/16 **WHEREAS** the agenda for the regular meeting has been reviewed by Council and items have been added;
THEREFORE BE IT RESOLVED THAT the agenda shall be adopted as amended. **CARRIED**

Reading and Confirming of Minutes:

Moved by Nichol and seconded by Sikkenga

64/16 **WHEREAS** the minutes of the regular meeting held on February 24, 2016, and of the joint meeting held on March 2, 2016, have been submitted to Council for review;
NOW THEREFORE BE IT RESOLVED THAT the minutes be adopted as presented. **CARRIED**

Financial:

1. Payment of accounts

Moved by Saxler and seconded by Nichol

65/16 **WHEREAS** the following items have been submitted for approval of payment; Cheque Nos. 18870 to 18893 and electronic payments 2573 to 2594;
THEREFORE BE IT RESOLVED THAT payments be approved for an amount not to exceed \$73,041.16. **CARRIED**

Delegations:

6:30 p.m. Rudie Friesen and Cliff Friesen attended as on behalf of Neva Falls Water Co-op to discuss the possibility of hooking onto the municipal water system. Council was favourable to the request however requested to have the inquiry in writing and at that time they will research same.

Hearing:

Moved by Saxler and seconded by Sikkenga

71/16 **BE IT RESOLVED THAT** the regular business of Council be temporarily suspended to open a public hearing to consider a Conditional Use Application in regards to Roll No. 176700, being Conditional Use No. C 01/16. **CARRIED**

7:00 p.m. A public hearing was held in regards to Conditional Use Hearing Application for Roll No. 176700 from Slavik's to request approval to allow for the operation of a food truck and customer parking complete with an ATM. In attendance was the applicant Jozef Slavik, and Stephen and Heather Bodnar. In addition an email in favour of the application was received and read out.

Moved by Bachman and seconded by Nichol

72/16 **BE IT RESOLVED THAT** the business of the Public Hearing is now completed and is now closed that Council return to their regular order of business of the Council Meeting. **CARRIED**

Moved by Saxler and seconded by Sikkenga

73/16 **WHEREAS** an application has been received from Jozef and Nathalie Slavik to allow for the operation of a food truck and customer parking complete with an ATM as a Conditional Use;
AND WHEREAS the application No. is C 01/16;
AND WHEREAS the property is located at Lot 6 of Plan No. 19055 located in NW 22-13-11 EPM, and identified as Roll No. 176700;
AND WHEREAS representatives attended and no objections were received;
NOW THEREFORE BE IT RESOLVED THAT Council does hereby approve said Conditional Use on the condition that the approved use is utilized in the next twelve months;
AND BE IT FURTHER RESOLVED THAT if the Conditional Use is not utilized within twelve months of today's date the approval will be nil and void.
CARRIED

Communications:

1. Manitoba Infrastructure and Transportation – Notice of Traffic Board Hearing NW ¼ 32-10-11E (Florestan). Noted.
2. Manitoba Infrastructure and Transportation – copy of response to Catholic Church. Noted.
3. Manitoba Good Roads Association – 2016 Membership fees.

Moved by Saxler and seconded by Sikkenga

66/16 **WHEREAS** the Manitoba Good Roads Association 2016 membership dues in the amount of \$200.00;
NOW THEREFORE BE IT RESOLVED THAT Council does hereby approve same.
CARRIED

4. Richard Cline – resignation as By-Law Officer as at April 30, 2016; and resignation as Assistant Municipal Emergency Coordinator when summer break commences.

Moved by Nichol and seconded by Bachman

67/16 **WHEREAS** Rick Cline has tendered his resignation as the By-Law Enforcement Officer as of April 30, 2016;
NOW THEREFORE BE IT RESOLVED THAT Council does hereby accept Mr. Cline's resignation;
AND BE IT FURTHER RESOLVED THAT Administration be directed to advertise to have this position filled.
CARRIED

Moved by Saxler and seconded by Sikkenga

68/16 **WHEREAS** Rick Cline has tendered his resignation as Assistant Municipal Emergency Coordinator once the summer break initiates;
BE IT RESOLVED THAT Council does hereby accept Mr. Cline's resignation.
CARRIED

5. Public Works Meeting – minutes of March 2 and 9, 2016, and safety meeting of March 8, 2016. Noted.
6. Senior Utility Operator – February '16 Utility Report. Noted.

7. Manitoba Assessment Services – Date for 2017 Board of Revision.

Moved by Nichol and seconded by Saxler

69/16 **BE IT RESOLVED THAT** the 2017 Board of Revision be held on November 16, 2016;
AND BE IT FURTHER RESOLVED that Council will not utilize

their discretionary powers to make any decisions retroactive.

CARRIED

8. Community Futures Winnipeg River – minutes of February 29, 2016. Noted.

9. Public Works Supervisor – February '16 Public Works Report. Noted.

10. Manitoba Hydro – quarterly report. Noted.

11. Manitoba Municipal Administrators Association – Membership for Assistant Chief Administrative Officer Myall.

Moved by Sikkenga and seconded by Bachman

70/16 **BE IT RESOLVED THAT** a membership to the Manitoba Municipal Administrators Association for the year 2016 be hereby authorized for Assistant Chief Administrative Officer Fay Myall at a cost not to exceed \$235.00.

CARRIED

12. Amy Kirby – request for road name change. Tabled.

Unfinished Business:

1. Utility Rate By-Law No. 648/16. Administration to prepare a draft of the changes requested to this by-law, circulate to Council for their approval, and once approved provided to Engineer Anderson for implementation into the rate study.

2. Dog Control By-Law. Referred to Administration to prepare as per the current by-law with minor changes. Tabled.

3. Establish road Reserve Fund – By-Law No. 650/16

Moved by Nichol and seconded by Saxler

74/16 **BE IT RESOLVED THAT** By-Law No. 650/16 being a by-law to create a reserve for Elizabeth Crescent, Elizabeth Way and Edinburgh Place be hereby given second reading. **CARRIED**

Moved by Bachman and seconded by Sikkenga

75/16 **BE IT RESOLVED THAT** By-Law No. 650/16 being a by-law to create a reserve for Elizabeth Crescent, Elizabeth Way and Edinburgh Place be hereby given third and final reading.

CARRIED

4. Municipal Road Program – Grant Status

Moved by Nichol and seconded by Sikkenga

76/16 **WHEREAS** approval has been received from the 2015 Municipal Road Improvement Program (MRIP) Grant;

AND WHEREAS it has been deemed emergent to repair for Shelley Road;

NOW THEREFORE BE IT RESOLVED THAT Council respectfully requests that this approval extend to Shelley Road.

CARRIED

5. Rescind Centennial Reserve – By-Law No. 651/16

Moved by Bachman and seconded by Sikkenga

77/16 **WHEREAS** By-Law No. 328/01 created a Centennial Reserve Fund for 2005 celebrations;

AND WHEREAS this event has been completed and the reserve is at a zero balance;

BE IT RESOLVED THAT By-Law No. 651/16 being a by-law to

rescind By-Law No. 328/01 be hereby given first reading.

CARRIED

6. Kurian/Elma Water – Administration is to arrange a meeting to be held in Elma on April 7, 2016, at 7:00 p.m. to see how many are interested in this initiative. Invitations to be by personal phone calls.
7. RM Telephones and Speaker Phone for Chambers. Chief Administrative Officer advised that a date for training on the phone system has been set. Council directed a conference call device in the \$700.00 range.
8. AECOM, Rail – quote for completing rail crossing regulations. Chief Administrative Officer Johnson advised that although Council had tabled this item to the summer, a quote has been received. Council agreed to make a decision at this time to ensure regulations are met.

Moved by Saxler and seconded by Nichol

- 78/16 **BE IT RESOLVED THAT** AECOM be hired to provide the works required to comply with the Transport Grade Crossings Regulations for our 9 public crossings at a cost not to exceed \$3,400.00 plus applicable taxes.

CARRIED

New Business:

1. Public Works Update. Noted.
2. Reports of Committees were verbally provided by all members of Council.
3. Whistle Cessation – public meeting of February 25, 2016. Letter from Mr. Castle withdrawing his request for a whistle cessation in Elma.

Moved by Bachman and seconded by Nichol

- 79/16 **WHEREAS** a request had been received in regards to a Whistle Cessation being implemented in Elma, Manitoba;
AND WHEREAS Council has completed their due diligence on this request by way of research and the holding of a public meeting in regards to same;
AND WHEREAS the individual which presented this request has now requested that his request be withdrawn due to the cost to the Municipality to apply for this cessation;
NOW THEREFORE BE IT RESOLVED THAT Administration be directed not to proceed with this initiative. **CARRIED**

4. Municipally owned lands – For Sale. Administration was directed to research all municipally owned lots on Front Street in Whitemouth including their sizes and applicable zoning. Tabled.
5. Eastern Region Community Health Committee – minutes of February 8, 2016, report to Eastern Region Municipal Forum, and draft report on the Economic Development Strategy for Rural Manitoba. Noted.

6. Municipal Emergency Coordinator Ruta – request for leave. She will look for an interim replacement to submit for Councils approval.

Moved by Sikkenga and seconded by Bachman

- 80/16 **WHEREAS** Municipal Emergency Coordinator Ruta has requested a leave of absence from April 1, 2016, to December 31, 2016;
NOW THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Whitemouth do hereby approve said request.

CARRIED

7. Seven Sisters Community Centre – request to meet for approval to have taxes, water and sewer and insurances etc. waived in perpetuity as per other municipal non-profit entities in the Rural Municipality of Whitemouth. By-Law No. 614/13 to be amended once the titles have been received in their name. Council directed a letter be sent approving taxes being exempt and water free for making ice rinks.

8. Sale of municipal promotional items.

Moved by Sikkenga and seconded by Bachman

81/16 **WHEREAS** municipal promotional items have been received;
NOW THEREFORE BE IT RESOLVED THAT Administration be advised that these are for sale to the public at a rate of \$50.00 per fleece jacket and \$3.00 per grocery totes as stock is available.

CARRIED

9. Lankhout Land Surveying and Geomatics re: Monument Restoration Program. Noted information received and the consensus was to provide payment once approval is received from Land Titles as per service providers input.

10. Manitoba Municipal Administrators Association – Annual Conference.
Moved by Saxler and seconded by Sikkenga

81/16 **WHEREAS** the Manitoba Municipal Administrators Association annual convention is being held from April 24, 2016, to April 27, 2016, in Winnipeg, Manitoba;

NOW THEREFORE BE IT RESOLVED THAT Chief Administrative Officer be hereby authorized to attend same;

AND BE IT FURTHER RESOLVED THAT she be reimbursed as per municipal by-law.

CARRIED

11. Sunrise School Division – bus policies. Council supported Councillor Bachman's initiative in corresponding with the school division.

12. Road Restrictions – Administration was directed to amend the present By-law to include Provincial Permit Exemptions List. Tabled.

13. Separate Reserve for Elizabeth Crescent Lift Station – the consensus of Council was not to implement same.

In Camera:

Moved by Nichol and seconded by Bachman

83/16 **BE IT RESOLVED THAT** Council recess the Regular meeting and go "In Camera" as per Section 152(3) of The Municipal Act to discuss the Following:

Personnel

AND BE IT FURTHER RESOLVED THAT all matters discussed are to Remain confidential as per Section 83(1)(d) of The Municipal Act.

CARRIED

Moved by Sikkenga and seconded by Bachman

84/16 **BE IT RESOLVED THAT** as per Section 152(4) of The Municipal Act Council does now re-open the meeting to the public.

CARRIED

Adjournment:

Moved by Bachman and seconded by Sikkenga

85/16 **BE IT RESOLVED THAT** the regular order of business has concluded
and this meeting does hereby adjourn at 8:30 p.m.

CARRIED



Reeye



Chief Administrative Officer