MINUTES OF THE TOWN OF NEEPAWA REGULAR MEETING OF COUNCIL HELD TUESDAY MAY 6, 2014 AT 5:00 P.M. IN THE COUNCIL CHAMBERS, NEEPAWA MUNICIPAL OFFICE, 275 HAMILTON ST., NEEPAWA, MB

Present: Mayor Waddell, Deputy Mayor Stilwell, Councillors Copeland, Dietrich, Drysdale, Grant and Pottinger; Chief Administrative Officer Richard Beachey; Assistant Chief Administrative Officer Colleen Synchyshyn; Engineering Supervisor Denis Saquet, Utility/Admin Clerk Sherry Smith

Guests: Debbie Stemkoski - NACTV; Kristine Loomis - Gem Media; Jeff Braun, Neepawa & Area Planning District; Monty Simon, Marilyn Crewe, Russ Newton, Wayne Hildebrand and Dave McIntosh

1. Approval of Agenda
Resolution No: 2014 31324

Moved By: Sheri Grant
Seconded By: Allan Drysdale

BE IT RESOLVED THAT the Council of the Town of Neepawa approve the Regular Meeting agenda for May 6, 2014.

Carried

2. In Camera
Resolution No: 2014 31325

Moved By: Robyn Copeland
Seconded By: Sheri Grant

BE IT RESOLVED that the Council of the Town of Neepawa do now sit as a “Committee of the Whole In Camera” to discuss the following:

- Development
- Legal
- Personnel

Carried

2.2 Out of In-Camera
Resolution No: 2014 31326

Moved By: Allan Drysdale
Seconded By: Robyn Copeland

BE IT RESOLVED that the Council of the Town of Neepawa do now adjourn the “In Camera” session at 7:00 p.m. and resume the Regular Meeting of Council.

Carried

3. Approval of Minutes
Resolution No: 2014 31327

Moved By: Allan Drysdale
Seconded By: Dean Dietrich

BE IT RESOLVED THAT the Council of the Town of Neepawa approve the minutes of the Regular Meeting held April 15, 2014 and the minutes of the Public Hearings held April 15, 2014 as circulated, posted and attached.

Carried

4. Council Reports

4.1 Councillor Dietrich - As attached

4.2 Councillor Grant - Councillor Grant reported on her attendance at a Community Development meeting.

4.3 Councillor Pottinger - Councillor Pottinger attended the Municipal Officials Seminar and Trade Show for two days. She also reported on her attendance at a Human Resources Committee meeting and Infrastructure Committee meeting.

4.4 Deputy Mayor Stilwell - Councillor Stilwell attended the annual South Western Regional Development meeting. Discussion occurred on cut backs from the Province. A representative from the World Development Organization worked with the committee to teach them to be more self-sustainable. Business succession planning meetings are being held to help small communities start businesses in their communities.
Councillor Stilwell attended the local library meeting in April.

4.5 Councillor Copeland - As attached

4.6 Councillor Drysdale - No report

5. Managers' Report

5.1 Chief Administrative Officer Richard Beachey - As attached

5.2 Water & Wastewater Supervisor Howard Buffi - As attached

5.3 Leisure Services Manager Amanda Novak - As attached

5.4 Fire Chief Scott Gibson - As attached

6. Council Committee Reports

6.1 Community Development - Deputy Mayor Stilwell, Councillor Grant - The Community Development Committee met April 24 to discuss the pool and daycamp staff wages.
Discussions included the pool hours of operation and life guarding courses that will be offered throughout the summer.
The Leisure Services Manager has taken courses and updated her training to assist at the pool when necessary.
The committee reported that Scott Pickford has been hired to work at the pool and water treatment plant. All chemicals at the pool will be handled by either Mr. Pickford or Water and Wastewater Supervisor Howard Buffi.
The cost of running the pool was discussed and solutions will be brought forth to reduce costs of running the pool which the Town incurs.
Daycamp staff have been hired and they are working on the programs and schedules for the summer.
Revisions to the Parks Use Policy are being drafted.

6.2 Human Resources - Councillors Dietrich, Pottinger - No report

6.3 Infrastructure - Councillors Copeland, Pottinger - As attached

6.4 Community Services - Councillors Drysdale, Stilwell - No report

7. Mayors Report - as attached

8. Delegation 7:00 pm. - Public Road Opening Monty Simon
Mr. Monty Simon explained to Council that he has been to Land Titles to try and identify if the right of way was closed and they have no record there. MB Hydro has a transmission line running on the south side of the right of way which makes it very difficult to build a road extending to Dominion Road.
Mr. Simon told Council he has spent a lot of time with planning and surveyors to make sure this is done properly.
There are three lots, one existing lot, one is created and the bulk of residual property that would have to be dealt with in a development agreement with the Town of Neepawa.
Mr. Simon would like to seal off the yard site and build a short piece of road for access.
Mr. Simon said he has had no trouble with the bridge only some erosion at the end of his driveway.

9. 7:30 p.m. Public Hearing Variation NADCO
Council stayed the regular meeting at 7:30 p.m. to open the public hearing. The regular meeting of Council resumed following the public hearing.

10. Old Business

10.1 Approval of Opening Public Road (Simon)
Resolution No: 2014 31328

Engineering Supervisor Saquet explained to Council that the east - west property coming off Dominion Road has a hydro transmission line running through and is not suitable for a road. Park Lake Road would be the best option.
A bridge assessment report would cost approximately $10,000 to see if it the bridge is stable enough for a heavier traffic flow.
Engineering Supervisor Saquet told Council if we have more residences in that area there is more justification to fix Park Lake road and noted that it does qualify as a grant-in-aid road.
Engineering Supervisor Saquet noted that culverts would need to be put in and the Town would need to calculate water volumes.
Engineering Supervisor Saquet advised Council that as the original subdivision was approved, this road approval needs to move forward.
The road building can be addressed in the development agreement which is required with Mr. Simon.

Moved By: Sheri Grant
Seconded By: Allan Drysdale

WHEREAS a public hearing was held at 7:30 P.M. on Tuesday, April 15, 2014 to consider the creation of a new public road in Pt. of the SW 1/4 Sec. 28 Twp. 14 Rage. 15 as part of the proposed plan of subdivision by Monty & Wendy Simon

AND WHEREAS there were no objections;

NOW THEREFORE BE IT RESOLVED that the Council of the Town of Neepawa approved the opening of the new Public Road designated in subdivision file no. 4437-14-7302 subject to a satisfactory development agreement.

Carried

10.2 Neepawa Natives Grant Request
Councillor Dietrich declared a conflict of interest and removed himself from the Council Chambers for the discussion.
The Neepawa Natives receive a grant funneled through the Yellowhead Center for $10,000 and have asked the Town for an additional $15,000 to cover all of their ice time.
Chief Administrative Officer Beachey informed Council that the money could be taken out of a reserve if Council agrees to the grant.
The financial plan is being brought forward for third reading later in the meeting and would need to be amended if there were to be any changes.
Council would like Chief Administrative Officer Beachey to have further discussion with Director of Finance Jamie Davie and research options for the May 20 meeting.

10.3 By-Law No. 3138 Second Reading (Financial Plan)
Resolution No: 2014 31329

Moved By: Lisa Pottinger
Seconded By: Allan Drysdale

BE IT RESOLVED THAT the Council of the Town of Neepawa give By-Law No. 3138, being a By-Law of the Town of Neepawa to levy taxes for the year 2014 and for providing for a date on which taxes shall be due and payable and the penalty for late payment of taxes, be now read for a second time.

Carried

10.4 By-Law No. 3138 Third Reading (Financial Plan)
Resolution No: 2014 31330

Moved By: Allan Drysdale
Seconded By: Sheri Grant

BE IT RESOLVED THAT the Council of the Town of Neepawa give By-Law No. 3138, being a By-Law of the Town of Neepawa to levy taxes for the year 2014 and for providing for a date on which taxes shall be due and payable and the penalty for late payment of taxes, be now read for a third time and passed.

For: Mayor Waddell, Deputy Mayor Stilwell, Councillors Dietrich, Drysdale, Copeland, Grant and Pottinger
Against: None

Carried

10.5 July Council Meetings
Resolution No: 2014 31331

Moved By: Lisa Pottinger
Seconded By: Bill Stilwell

BE IT RESOLVED that the Council of the Town of Neepawa, in accordance with Section 6.2 of By-Law No. 3093 (Procedural) of the Town of Neepawa, do hereby cancel the July 1, 2014 regular meeting of Council.

Carried

10.6 Lily Festival Parade Route
Resolution No: 2014 31332

Moved By: Allan Drysdale
Seconded By: Sheri Grant

BE IT RESOLVED THAT THE Town of Neepawa approve the 2014 Lily Parade Route, beginning at 11:00 a.m., Saturday, July 26, 2014.

Parade Route to be Starting at the Yellowhead Centre, south on Mountain Avenue to Davidson Street, east on Davidson Street to Brown Avenue, South on Brown Avenue to Ellen Street, west on Ellen Street to Mountain Avenue, north on Mountain Avenue to Hamilton Street and west on Hamilton Street to disembark.

Carried

11. New Business

11.1 Variation Approval (NADCO) 2014-04-09
Resolution No: 2014 31333

Moved By: Lisa Pottinger
Seconded By: Sheri Grant

BE IT RESOLVED THAT the Council of the Town of Neepawa approve Variation Application 2014-04-09 Town of Neepawa / NADCO 2013 Inc.

Varied to allow:

1. To have the required number of parking stalls of 63 be reduced to 52 (or 1 stall per residential unit with 10 stalls for visitors and staff)
2. To have the maximum building height of 3 stories be increased to 4 stories in the “RM2” Multi-Family Residential Zone.

Area Affected: Lots 1-12 & Lots 17-26, Block 97, Plan 348
Being 400 Ellen St.

Carried

11.2 HyLife Foods – Legislation Re: Dev. Agreement/Caveat
Resolution No: 2014 31334

Moved By: Robyn Copeland
Seconded By: Lisa Pottinger

WHEREAS Springhill Holding Co. Ltd. entered into a development agreement with the Rural Municipality of Langford on April 7, 1986 for the establishment of a hog processing plant on land they owned in SW ¼ 35-14-15 WPM;
AND WHEREAS since that time, neither Springhill Farms nor the RM of Langford are parties to the agreement, with HyLife Foods being the current legal owner by way of purchase in 2008 and the Town of Neepawa being the respective municipal authority by way of annexation in 1986;
AND WHEREAS with the passing of 28 years, certain portions of the agreement have become obsolete/outdated and should be re-written to encompass all valid and continuing provisions, as well as those that may be applicable to current and future development potential;
AND WHEREAS future growth opportunities being explored by HyLife Foods are subject to limitations contained in an agreement dating back 28 years, with specific notation in Article 10 outlining that any consideration to alter or amend the 1986 agreement requires submission to a public hearing, with further provision for arbitration if necessary;
AND WHEREAS since 1986, the Province of Manitoba has increased its focus on protecting the environment with effective land use planning for hog processing facilities, linked to stringent licensing processes, which requires adequate public consultation. Such requirements exceed those established either municipally or provincially in 1986;
THEREFORE BE IT RESOLVED THAT the Town of Neepawa, as successor to the agreement, undertake jointly with HyLife Foods, the re-write of the 1986 development agreement to reflect current municipal and provincial requirements and address all items to the mutual benefit of both parties;
FURTHER BE IT RESOLVED THAT concurrently with the re-write, the Town of Neepawa waive the public consultation process contained under Article 10 of the 1986 agreement and default to the provincial processes and licensing standards, whereby a proposed application by HyLife for expansion will be measured and publically scrutinized under environmental requirements that exceed those established 28 years prior;
AND FURTHER BE IT RESOLVED THAT in recognition of the potential for liability, a discharge of the 1986 agreement shall only be considered simultaneously with the signing of a new agreement and registered as caveat, ensuring adequate documentation and protection exists now and into the future.

COPELAND - POTTINGER
Motion to table

Carried

11.3 Organizational Chart
Resolution No: 2014 31335

Moved By: Dean Dietrich
Seconded By: Allan Drysdale

BE IT RESOLVED THAT the Council of the Town of Neepawa approve the Town of Neepawa Organizational Chart as attached.

Carried

11.4 CN Lands Master Plan
Resolution No: 2014 31336

Moved By: Allan Drysdale
Seconded By: Lisa Pottinger

BE IT RESOLVED THAT the Council for the Town of Neepawa hereby approve the CN Yard Redevelopment Plan, as prepared by MMM Group Limited and dated April 2014;

AND FURTHER BE IT RESOLVED THAT in order to enable the development of the site in accordance with the proposed redevelopment plan, the Town of Neepawa hereby requests the Neepawa and Area Planning District to pursue amendments to the Neepawa and Area Development Plan on behalf of the Town of Neepawa.

Carried

11.5 Community Contribution Requirement - Brandon Regional Health Centre renovations
Mayor Waddell read a letter from Prairie Mountain Health requesting money for a project for the Brandon Regional Hospital. Mayor Waddell expressed concern as he was assured at a regional meeting that the next project would be Neepawa's Regional Hospital.
Council felt that our community utilizes the Brandon Regional Health Center as a secondary hospital and we could budget the requested funds for 2015.
Director of Finance Davie is to place this in the 2015 budget for further discussion.

11.6 Pool Wages
Resolution No: 2014 31337

Moved By: Bill Stilwell
Seconded By: Sheri Grant

BE IT RESOLVED that the Council of the Town of Neepawa hereby accept the recommendation from the Community Development Committee and approve the attached pool wages.

Carried

11.7 Chamber Carnival Street Closure
Resolution No: 2014 31338

Moved By: Sheri Grant
Seconded By: Dean Dietrich

BE IT RESOLVED that the Council of the Town of Neepawa support the closure of private property, being the area west of the former Co-op grocery store from Brydon Street to Home Hardware and to the property line at First Avenue for the period of June 6, 7 and 8, 2014 to accommodate the Neepawa & District Chamber of Commerce carnival, as per the attached sketch, as amended.

BE IT FURTHER RESOLVED that the painted area being North of the skateboard park and all fire lanes remain free and clear for the duration of the event.

Carried

11.8 Chamber Carnival Noise Extension
Resolution No: 2014 31339

Moved By: Sheri Grant
Seconded By: Lisa Pottinger

BE IT RESOLVED THAT the Council of the Town of Neepawa grants to the Neepawa and District Chamber of Commerce an exception to By-law No. 2439 (Noise By-law) under section 4 (b) to change the time from 10:00 P.M. to 1:00 A.M. on Friday, June 6, 2014 and Saturday, June 7, 2014 for the carnival.

Carried

11.9 Neepawa Natives Request
The Neepawa Natives Hockey team requested the Town of Neepawa receive charitable donations on their behalf, under the Town's charitable number.
Chief Administrative Officer Beachey advised Council that the Town has a policy in this regard and there are also federal requirements. The Town was given a charitable number and could lose our status if rules are not followed. Donations cannot be taken in and given to a non-designated organization.
The Town had a request from the Natives in May 2012 for the same thing and they were turned down at that time. Assistant Chief Administrative Officer Synchyshyn read a piece from the Municipal Act which supported the Town's position to not allow this request. This request was deferred to a future meeting for more information.

11.10 Transfer of EVL Land to NADCO
Resolution No: 2014 31340
Council feels that the proponent needs to have a name before the property is signed over. Additionally, the resolution needs to state that all Town costs to the project will be recovered.
An amended resolution is to be brought back to the May 20, 2014 Council meeting.

Moved By: Dean Dietrich
Seconded By: Allan Drysdale

WHEREAS land is required for the development of a proposed community-based, non-profit Seniors Housing Project in Neepawa;

AND WHEREAS the Town of Neepawa is to transfer the former East View Lodge site to a proponent of a "community-based, non-commercial initiative, such as housing" as stated in a joint letter by the Minister of Health and the Minister of Housing and Community Development dated January 19, 2012;

NOW THEREFORE BE IT RESOLVED that the Town of Neepawa transfer land formerly known as the East View Lodge site as described in Title No. 2696002/5, excepting there out all mines and minerals for the sum of one dollar to the Proponent, subject to funding approval by Manitoba Housing - Request for Proposals for Development of Affordable Seniors Housing RFP#: HDB2014-001 for the proposed community-based, non-profit Seniors Housing Project.

DRYSDALE - POTTINGER
Motion to table

Carried

12. Accounts and Financial Statements

12.1 April Accounts (1)
Resolution No: 2014 31341

Moved By: Lisa Pottinger
Seconded By: Allan Drysdale

BE IT RESOLVED that the Council of the Town of Neepawa approve the following accounts:

Cheque Numbers: 201400580 to 201400646 and 201400648 to 201400770
Totalling: $586,415.05
Representing: April 2014

Carried

12.1.1 April Accounts (NB)
Resolution No: 2014 31342
Mayor Waddell declared a conflict of interest for the following resolution and relinquished the Chair to Deputy Mayor Stilwell and vacated the Council Chambers. He returned to the Council Chambers following the vote.

Moved By: Sheri Grant
Seconded By: Allan Drysdale

BE IT RESOLVED that the Council of the Town of Neepawa approve the following accounts:

Cheque Numbers: 201400647
Totalling: $749.88
Representing: April 2014

Carried

13. Correspondence
Resolution No: 2014 31343

Moved By: Robyn Copeland
Seconded By: Sheri Grant

BE IT RESOLVED that the Council of the Town of Neepawa deal with the following communications as indicated:

1. Beautiful Plains County Court Building 2013 Audited Financial Statement; received as information and filed.
2. Neepawa & Area Planning District 2013 Audited Statement; received as information and filed.
3. Trans Canada Pipeline updated; received as information.

Carried

14. Adjournment
Resolution No: 2014 31344

Moved by: Sheri Grant
Seconded by: Allan Drysdale

BE IT RESOLVED THAT The Council of the Town of Neepawa do now adjourn this Regular Meeting of Council at 9:05p.m.

Carried

Mayor	Chief Administrative Officer