

# Town of Manitou

## MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF MANITOU HELD IN THE TOWN COUNCIL CHAMBERS, THURSDAY OCTOBER 15, 2009.

PRESENT Mayor Jake Goertzen  
Councillors Norman Scharf, Harry Brendle, Glenn Shiskoski  
Interim CAO Marion Grogan  
Administrative Assistant Cassandra Morrow

1. Call to Order The Meeting was called to order at 6:43pm

154/2009 BRENDLE / SHISKOSKI

**BE IT HEREBY RESOLVED THAT** Council adjourn the Regular meeting of Council to hold the required Public Hearing for Zoning By-law 7/2009, a Bylaw to amend 6/2004.

CARRIED

6:45pm – Public Hearing – Zoning By-law 7/2009

### PUBLIC HEARING

IN THE MATTER OF: Zoning Bylaw 7/2009 To rezone a parcel of land in the Town of Manitou

FROM: "OR" Open Space / Recreational Zone

To: "I" Institutional Zone

APPLICANT: Manitou Community Daycare

OWNER: Prairie Spirit School Division

SUBJECT: Land Use Zoning

PURPOSE: To allow for the construction of a daycare to comply with the zoning by-law.

PREMISES: Lot Block Plan (516 Souris Ave.)

The Hearing opened at 6:44pm

Mayor Goertzen called the Hearing to Order

CAO read the Notice given pursuant to the Planning Act regarding the proposed rezoning.

There were no persons in attendance at the Hearing to make representation for or against the Rezoning application.

# Town of Manitou

155/2009 SHISKOSKI / SCHARF

**BE IT HEREBY RESOLVED THAT** Council now resume Regular sitting of Council.

CARRIED

2. Adoption of the Agenda

156/2009 SCHARF / SHISKOSKI

**BE IT HEREBY RESOLVED THAT** the Agenda of the October 15, 2009 Regular Meeting of Council be approved as presented.

CARRIED

3. Adoption of the Minutes

157/2009 SCHARF / BRENDLE

**BE IT HEREBY RESOLVED THAT** the Minutes of the September 10, 2009 Regular meeting of Council be approved.

CARRIED

158/2009 SCHARF / SHISKOSKI

**BE IT HEREBY RESOLVED THAT** the Minutes of the September 18, 2009 Special Meeting of Council, be approved.

CARRIED

159/2009 SHISKOSKI / SCHARF

**BE IT HEREBY RESOLVED THAT** the Minutes of the October 5, 2009 Special Meeting of Council, be approved.

CARRIED

4. Business Arising from Minutes

NONE

5. Finance

160/2009 SHISKOSKI / SCHARF

**BE IT HEREBY RESOLVED THAT** Council authorize the payment of Outstanding Municipal Accounts and Payroll which include Chq numbers 20090506-20090557 in the amount of \$131,440.90.

CARRIED

161/2009 SHISKOSKI / BRENDLE

**BE IT HEREBY RESOLVED THAT** Council approves the September 2009 Financial Statement.

CARRIED

162/2009 SCHARF / SHISKOSKI

**BE IT HEREBY RESOLVED THAT** Council adjourn the Regular meeting of Council to hold the required Public Hearing for Conditional Use Application No. CA-01-09.

CARRIED

7:00pm – Public Hearing – Conditional Use Application CA -01-09  
PUBLIC HEARING

IN THE MATTER OF: Conditional Use Application CA-01-09

APPLICANT: Robert & Anna Hunt

# Town of Manitou

OWNER: Scott & Dallas Davies

SUBJECT: To allow Multi Family dwellings in the Central Commercial Zone

PURPOSE: To allow the renovation of 1 existing building in the Commercial Zone to accommodate 2 residential apartments

PREMISES: Lots 1-2 Block 3 Plan 1642 (427 Main Street)

The Hearing opened at 7:00pm

Mayor Goertzen called the Hearing to Order

CAO read the Notice given pursuant to the Planning Act regarding the proposed Conditional Use Application CA -01-09

There were no persons in attendance at the Hearing to make representation for or against the Rezoning application.

163/2009 SCHARF / BRENDLE

**BE IT HEREBY RESOLVED THAT** Council now resume Regular sitting of Council.

CARRIED

6. By-laws

164/2009 SCHARF / SHISKOSKI

**BE IT HEREBY RESOLVED THAT** Bylaw 7-2009, a Bylaw to amend Bylaw 6/2004 The Town of Manitou Zoning Bylaw, be read a second time.

CARRIED

165/2009 SCHARF / BRENDLE

**BE IT HEREBY RESOLVED THAT** Bylaw 7-2009 a Bylaw to amend Bylaw 6/2004 The Town of Manitou Zoning Bylaw, be read a third and final time, and thereby be done and passed as a by-law of the Town of Manitou.

CARRIED

Recorded Vote:

For: Goertzen, Scharf, Brendle, Shiskoski

166/2009 SHISKOSKI / SCHARF

**BE IT HEREBY RESOLVED THAT** Council adjourn the Regular meeting of Council to hold the required Public Hearing for Variation Application NO VA-02-09.

CARRIED

# Town of Manitou

7:15pm – Public Hearing –Application VA-02-09, for Variation in the Town of Manitou  
PUBLIC HEARING

IN THE MATTER OF: Variation Application VA-02-09

APPLICANT: Takhir Khamraev & Lola Hamraeva

OWNER: Takhir Khamraev & Lola Hamraeva

SUBJECT: To reduce the required side yard from 5ft to 6”

PURPOSE: To accommodate a permanent garage in place of the pre-existing Car port.

PREMISES: Lot 2 Block 10 Plan 1642 (312 Fuller Ave.)

The Hearing opened at 7:15pm

Mayor Goertzen called the Hearing to Order

CAO read the Notice given pursuant to the Planning Act regarding the proposed Variation Application VA-02-09

Persons In attendance:

Against

Cindy Hunter, Box 326, Manitou, MB R0G 1G0

Sheila Cowper, Box 397, Notre Dame de Lourdes, MB, R0G 1M0

Keith Cowper, Box 397, Notre Dame de Lourdes, MB, R0G 1M0

Cindy Hunter, neighbor, spoke against the variation. She is concerned the structure is unsightly doesn't match house and does not comply with by-laws. She is also concerned about the stability and afraid of a fire happening.

Sheila Cowper, neighbor, spoke against the variation. She feels it is too close to their house, wall to wall there is less than 5ft. Afraid of losing their house to a fire, and concerned it will decrease the value of their house if ever to sell.

There were no further presentations or representations on the Application.

167/2009 SHISKOSKI / BRENDLE

**BE IT HEREBY RESOLVED THAT** Council now resume Regular sitting of Council.

CARRIED

7.Delegations

NONE

# Town of Manitou

- 8. Correspondence
  - 8.1 Alan Livingstone – Offer to Purchase
  - 8.2 AMM – RCMP and HED Meetings during conference

168/2009 SCHARF / SHISKOSKI

**BE IT HEREBY RESOLVED THAT** Council accept the Offer to Purchase from Alan Livingstone in the amount of \$1.00 in respect to Lots 16-18, Block 5, Plan 1642 (125 Voth St. Roll #43423) with the following provisions:

1. Construction must commence within one year of signing, and be completed within 2 years.
2. All permits and approvals must be obtained through MSTW Planning District.
3. Vendor is responsible for all fees and transfers in respect of land purchase and Transfer.
4. Vendor is responsible for all costs associated with utility connections.

- 9. General or Other Business

- 9.1 Fire King Cabinet
- 9.2 Dutch Elm Agreement
- 9.3 Rates for Election Officials
- 9.4 Mobile Homes, RTM, Modular
- 9.5 Housekeeping Items

169/2009 SKISKOSKI / BRENDLE

**BE IT HEREBY RESOLVED THAT** the CAO be authorized to purchase 2 Fire King Fireproof storage cabinets, cost of which is \$2899.68 net each.

CARRIED

170/2009 SCHARF / BRENDLE

**BE IT HEREBY RESOLVED THAT** The Mayor and Interim CAO be authorized to sign the Dutch Elm Disease Control Cost- Sharing Agreement with the Province of Manitoba, on behalf of the Town.

CARRIED

171/2009 SCHARF / BRENDLE

**BE IT HEREBY RESOLVED THAT** the following remuneration rates be established for Election Officials for the Town of Manitou in addition to reimbursement of expense.

<b>SEO</b>	\$800 for General Election \$500 for By-Election \$150 retainer for years with no election
<b>Enumerator</b>	\$400 every year for the maintenance and up-keep of the Voters list
<b>Election Official</b>	\$12.00/hr for Training and working at Polls

CARRIED

## Town of Manitou

172/2009 SCHARF / BRENDLE

**BE IT HEREBY RESOLVED THAT** Cassandra Morrow be appointed as Secretary to the Board of Revision, and Council be appointed as the Board, providing there are 4 members of council eligible to sit. In the event that less than four members of council are eligible, council may appoint members to the board from the community at large, to make up a board of 4 members.

CARRIED

173/2009 SHISKOSKI / BRENDLE

**WHEREAS** Robert and Anna Hunt, Applicants on behalf of Scott and Dallas Davies, Registered Owners of the property legally described as Lots 1-2 Block 3 Plan 1642 have applied to the Town of Manitou for approval of Conditional Use in the "CC" Central Commercial Zone under Bylaw 6/2004, as amended, in order to allow for Multiple Family Dwellings on the subject property

**BE IT HEREBY RESOLVED THAT** After careful consideration of Conditional Use Application NO. CA-01-09 and any representation for or against, the Town of Manitou hereby **APPROVES** said Application subject to the following conditions:

- The Applicant securing all necessary permits from MSTW
- The Applicant in compliance with all applicable Zoning Bylaw and Building Code requirements concerning the construction, establishment, and occupancy for a Multi- Family Dwelling.

CARRIED

174/2009 SCHARF/SHISKOSKI

**BE IT HEREBY RESOLVED THAT** After careful consideration of Variation Application No. VA-02-09 and any representation for or against the Variation sought by Takir Khamraev and Lola Hamraeva Owner/Applicants, the Town of Manitou hereby **DENIES** said Variation Application No. VA-02-09 to vary the minimum side yard from 5ft to 6".

CARRIED

With Reference to Agenda Item #9.4 Regarding Mobile Homes, RTM, Modular Arising at a meeting of Council on October 15, 2009. Councillor Harry Brendle, disclosed a personal Interest in the matter before council. Upon declaring an interest in agenda item No. 9.4, said Councillor withdrew from the Council Chamber, without further participation in the matter under discussion.

A recess was called at 7:46pm until 7:56pm

Councillor Brendle returned to the meeting.

## Town of Manitou

10. Reports of Committees      Mayor Goertzens' Report Attached  
   Councillor Scharf gave a verbal report  
   Councillor Shiskoski gave a verbal report  
   Councillor Brendle gave a verbal report
11. Petitions / Notice of Motion      NONE
12. In Camera      NONE
13. Adjournment      175/2009 SCHARF / SHISKOSKI  
   **BE IT HEREBY RESOLVED THAT** Council do now adjourn  
   Meeting adjourned at 9:20pm

CARRIED

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Jake Goertzen, Mayor

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Marion Grogan, Interim C.A.O