

**Council Meeting
May 18, 2021 at 9:00 a.m.
Nesbitt Hall, Nesbitt MB.**

The Council members of the Municipality of Oakland-Wawanesa met at the Nesbitt Hall in Nesbitt, Manitoba on Tuesday, May 18, 2021 at 9:00 a.m. Members Present: Councillors Cory, Hargreaves (arrived 9:44 a.m.), Hatch, McDonald, McGregor and Sowiak. Head of Council Dave Kreklewich presided.

Staff in attendance: Chief Administrative Officer Joni Swidnicki, Finance Officer Elaine McGregor, Public Works Manager Darcy Ketsman and Videographer Cheryl Fraser.

This was an open meeting of Council, however, except for attendance as a delegation or at a Public Hearing, members of the public were requested to view the proceedings on-line as a result of the Covid-19 Pandemic.

CALL TO ORDER – 9:00 a.m.

ADOPTION OF THE AGENDA

McDonald-Cory

- 159-2021 BE IT RESOLVED that the agenda for the May 18, 2021 meeting be accepted as presented with any requests to appear with respect to the Office Building Tender or written correspondence on the matter being added under Delegations. CARRIED.

CONFIRMATION OF MINUTES

McGregor-Sowiak

- 160-2021 BE IT RESOLVED that the minutes of the April 20, 2021 regular meeting of Council be hereby approved as circulated. CARRIED.

Hatch-McDonald

- 161-2021 BE IT RESOLVED that the minutes of the May 6, 2021 special meeting of Council be hereby approved as circulated. CARRIED.

McGregor-McDonald

- 162-2021 BE IT RESOLVED that the minutes of the May 10, 2021 special meeting of Council be hereby approved as circulated. CARRIED.

FINANCE

General Account

Cory-McGregor

- 163-2021 BE IT RESOLVED that the May 13, 2021 general accounts payables, being cheque #'s 5000 to 5024 and 5026 to 5068 and 3-Man in the amount of \$249,206.70 be hereby approved. CARRIED.

Councillor McGregor declared in an interest in the following matter and left the room without any discussion or debate.

Sowiak-McDonald

- 164-2021 BE IT RESOLVED that general accounts payable cheque # 5025 to Guild Insurance in the amount of \$14.00 be approved. CARRIED.

Cory-Sowiak

- 165-2021 BE IT RESOLVED that Direct Deposit 172, being staff payroll for the period April 19 to April 30, 2021 in the amount of \$12,604.45 be hereby approved. CARRIED.

McDonald-Hatch

- 166-2021 BE IT RESOLVED that Direct Deposit 173, being a staff payroll correction in the amount of \$360.00 be hereby approved. CARRIED.

Cory-McDonald

- 167-2021 BE IT RESOLVED that Direct Deposit 175, being staff payroll for the period May 3 to May 14, 2021 in the amount of \$15,351.24 be hereby approved. CARRIED.

Hatch-McDonald

- 168-2021 BE IT RESOLVED that Direct Deposit 174, being Council indemnities for the month of April, 2021 in the amount of \$6,092.11 be hereby approved. CARRIED.

Utility Account

McGregor-Sowiak

- 169-2021 BE IT RESOLVED that the May 13, 2021 utility accounts payable, being cheque #'s 717 to 723 in the amount of \$7,328.13 be hereby approved. CARRIED.

Statement of Revenue and Expenditure

McDonald-Hatch

- 170-2021 BE IT RESOLVED that the Statement of Revenue and Expenditure report to April 30, 2021 be received as presented. CARRIED.

Bank Reconciliations

McGregor-Hatch

- 171-2021 BE IT RESOLVED that the bank reconciliations for the month of April, 2021 be approved as previously circulated. CARRIED.

DELEGATIONS

Dennis Rome – Office Tender

Sowiak-Cory

- 172-2021 BE IT RESOLVED that the presentation by Dennis Rome with respect to the Office Tender be received. CARRIED.

Written communication with respect to the Office Tender was received from the following:

Jack and Dell Mooney
Liane Heinrichs
Brenda Buckley
Gisele and Luc Corriveau
Robert and Lorna Kincaid
D. Scott Walker
John Robinson
Glen Kirby
Bruce Coombs

PUBLIC HEARINGS

Cory-McGregor

- 173-2021 BE IT RESOLVED that the regular meeting of council be recessed to allow council to hold Public Hearings to receive representations from any person who wish to make them in respect to various Conditional Use and Variation applications. CARRIED.

Public Hearing on Conditional Use Application C2/21 to allow on Part of the NW ¼ 6-7-18 WPM a non-farm dwelling in the “AG” Agriculture General Zone (Martin)

Cory-McDonald

- 174-2021 WHEREAS all representatives in regard to Conditional Use Application No. C2/21 to allow on part of the NW ¼ 6-7-18 WPM a non-farm dwelling in the “AG” Agriculture General Zone (Martin) have been dealt with;

THEREFORE BE IT RESOLVED that the public hearing be concluded. CARRIED.

Public Hearing on Variation Application V1/21 to Increase the Dwelling Site Area and Decrease the Residual Agricultural Parcel on NW ¼ 6-7-18 WPM (Martin)

McDonald-Hatch

- 175-2021 WHEREAS all representatives in regard to Variation Application No. V1/21 to increase the dwelling site area and decrease the residual agricultural parcel on NW ¼ 6-7-18 WPM (Martin) have been dealt with;

THEREFORE BE IT RESOLVED that the public hearing be concluded. CARRIED.

Public Hearing on Variation Application V2/21 to Reduce the Front and Rear Yard Setbacks at 305 Park Street in Wawanesa, MB (Eaton)

McGregor-McDonald

- 176-2021 WHEREAS all representatives in regard to Variation Application No. V2/21 to reduce the front and rear yard setbacks at 305 Park Street in Wawanesa, MB (Eaton) have been dealt with;

THEREFORE BE IT RESOLVED that the public hearing be concluded. CARRIED.

Public Hearing on Conditional Use Application C3/21 to allow on Part of the SW ¼ 36-8-17 WPM a non-farm dwelling in the “AG” Agriculture General Zone (Jefferies)

Sowiak-Hatch

177-2021 WHEREAS all representatives in regard to Conditional Use Application No. C3/21 to allow on part of the SW ¼ 36-8-17 WPM a non-farm dwelling in the “AG” Agriculture General Zone (Martin) have been dealt with;

THEREFORE BE IT RESOLVED that the public hearing be concluded and Council resume its normal order of business. CARRIED.

COMMUNICATIONS

Accessibility Advisory Council – Public Survey
Association of Manitoba Municipalities – April 22
Association of Manitoba Municipalities – April 22
Association of Manitoba Municipalities – April 22
Association of Manitoba Municipalities – April 26
Association of Manitoba Municipalities – April 27
Association of Manitoba Municipalities – April 28
Association of Manitoba Municipalities – April 30
Association of Manitoba Municipalities – May 1
Association of Manitoba Municipalities – May 3
Association of Manitoba Municipalities – May 3
Association of Manitoba Municipalities – May 7
Association of Manitoba Municipalities – May 10
Barrage – April Newsletter
Canadian Union of Postal Workers – Delivering Community Power
City of Brandon – Zoning Amendment By-law No. 7301
Clean Farms – Media Release
Enbridge – Areas of Reduced Cover
Federation of Canadian Municipalities – Communique – April 19
Federation of Canadian Municipalities – Communique – April 20
Federation of Canadian Municipalities – Communique – May 3
Federation of Canadian Municipalities – Communique – May 10
Manitoba Agriculture and Resource Development – Watershed Districts Annual Report
Manitoba Pipeline Landowners Association – Guide to Zoning By-laws
Manitoba Office of The Premier – Acknowledgement Letter
Prairie Mountain Health – May 2021 Newsletter

Cory-Sowiak

178-2021 BE IT RESOLVED that the above noted communications be received. CARRIED.

COMMITTEE REPORTS

South Zone Report (Ward 3)

Councillor Cory added to his written report to indicate he had received emails with respect to the tender for the office building.

Councillor Sowiak added to her report to indicate she had received emails and comments on messenger with respect to the office building tender.

North Zone Report (Ward 2)

Councillor Hargreaves – see written report

Councillor Hatch – see written report

Wawanesa Zone Report (Ward 1)

Councillor McDonald – see written report

Councillor McGregor – see written report

Head of Council's Report – see written report

Chief Administrative Officer Report – see written report

Finance Officer Report – see written report

Public Works Report – see written report

Drew Wilton – Wawanesa Public Works – see written report

Fire Chief's Report – see written report

McDonald-Cory

179-2021 BE IT RESOLVED that the verbal and written reports be received. CARRIED.

Public Works and Transportation Services Committee

Hatch-McDonald

180-2021 BE IT RESOLVED that the report of the Public Works and Transportation Services Committee meeting held May 10, 2021 be received and recommendations to Council be considered under General Business. CARRIED.

BY-LAWS

By-law No. 05-2021 – Animal Control By-law Amendment, 2nd and 3rd Readings

McDonald-Cory

- 181-2021 BE IT RESOLVED that By-law No. 05-2021, being the Animal Control By-law, be amended in Clause 2(7) by removing the word “may” and replacing it with the word “shall” and by removing Clause 3(9) and replacing it with the following:

Rabies Vaccination

3(9) An owner shall ensure that their dog or cat has a current rabies vaccination that is no more than 3 years old. An owner is not required to ensure a current rabies vaccination where the owner produces, to the animal control officer’s satisfaction, written confirmation from a licenced veterinarian certifying that the dog or cat cannot be vaccinated or has received a titre test showing it has adequate immunity. The animal control officer may request that an owner provide proof that the dog or cat has a current rabies vaccination.

CARRIED.

McGregor-Hatch

- 182-2021 BE IT RESOLVED that By-law No. 05-2021, as amended, be read a second time. CARRIED.

McDonald-Sowiak

- 183-2021 BE IT RESOLVED that By-law No. 05-2021 be read a third and final time. CARRIED.

A recorded vote was taken on the above motion.

FOR

Head of Council Kreklewich
Councillor Cory
Councillor Hatch
Councillor McDonald
Councillor McGregor
Councillor Sowiak

AGAINST

Councillor Hargreaves was absent for the vote.

By-law No. 08-2021 – Amendment to Fire Prevention and Emergency Services By-law No. 02-2019 re Outdoor Fire Pits and Burning Appliances Amendment, 2nd and 3rd Readings

McGregor-McDonald

- 184-2021 BE IT RESOLVED that By-law No. 08-2021, to Amend Fire Prevention and Emergency Services By-law No. 02-2019 be amended by deleting Schedule “C” and replacing it with the attached Schedule “C”. CARRIED.

McDonald-McGregor

- 185-2021 BE IT RESOLVED that By-law No. 08-2021, as amended, be read a second time. CARRIED.

Hatch-McDonald

- 186-2021 BE IT RESOLVED that By-law No. 08-2021 be read a third and final time. CARRIED.

A recorded vote was taken on the above motion.

FOR

Head of Council Kreklewich
Councillor Cory
Councillor Hatch
Councillor McDonald
Councillor McGregor
Councillor Sowiak

AGAINST

Councillor Hargreaves was absent for the vote.

UNFINISHED BUSINESS

Subdivision in Part NE ¼ 22-8-17 WPM (Gibb)

McDonald-Sowiak

- 187-2021 BE IT RESOLVED that Subdivision Application No. 4157-21-8251 as submitted by Luanne and Carl Gibb, with a suggested amendment put forward by Community and Regional Planning to subdivide a 7.2 acre parcel in part of NE ¼ 22-8-17 WPM be approved subject to a Conditional Use Order being granted to allow for a non-farm dwelling within the "AG" Zone. CARRIED.

Grant Allocation to STARS

McDonald-Cory

- 188-2021 BE IT RESOLVED that the grant to STARS be increased to \$1,000. CARRIED.

GENERAL BUSINESS

Conditional Use Application C2/21 to allow on Part of the NW ¼ 6-7-18 WPM a non-farm dwelling in the "AG" Agriculture General Zone (Martin)

McGregor-McDonald

- 189-2021 BE IT RESOLVED that Conditional Use Application No. C2/21 to allow on Part of NW ¼ 6-7-18 WPM a non-farm dwelling in the "AG" Agriculture General Zone as submitted by Earl and Cheryl Martin be approved without conditions. CARRIED.

Variation Application V1/21 to Increase the Dwelling Site Area and Decrease the Residual Agricultural Parcel on NW ¼ 6-7-18 WPM (Martin)

McDonald-Sowiak

- 190-2021 BE IT RESOLVED that Variation Application No. V1/21 to increase the dwelling site area to 54.7 acres and to reduce the residual agriculture parcel to 64.38 acres be approved without conditions. CARRIED.

Variation Application V2/21 to Reduce the Front and Rear Yard Setbacks at 305 Park Street in Wawanesa, MB (Eaton)

Sowiak-McDonald

- 191-2021 BE IT RESOLVED that Variation Application No. V2/21 to reduce the required front yard setback from 25' to 20' and to reduce the required rear yard setback from 25' to 4' to replace an existing mobile home with a new one at 305 Park Street, Wawanesa, MB as submitted by Stacey Eaton be approved without conditions. CARRIED.

Conditional Use Application C3/21 to allow on Part of the SW ¼ 36-8-17 WPM a non-farm dwelling in the "AG" Agriculture General Zone (Jefferies)

McDonald-Hatch

- 192-2021 BE IT RESOLVED that Conditional Use Application No. C3/21 to allow on Part of the SW ¼ 36-8-17 WPM a non-farm dwelling in the "AG" Agriculture General Zone as submitted by Cale Jefferies, Riley Jefferies and Gordon Peters be approved without conditions. CARRIED.

Approach Request in NW ¼ 36-7-19 WPM (McFarland)

Cory-McDonald

- 193-2021 BE IT RESOLVED that in accordance with Approach Policy TRANS008, the application of Cameron McFarland to construct an approach in NW ¼ 36-7-19 WPM be approved. CARRIED.

Capital Budget Road Projects

Hatch-Cory

- 194-2021 BE IT RESOLVED that proposals be sought for clay capping Turkey Ranch Road (Road 44N) for one mile east of Highway No. 10; Tower Road (Road 45N) for ¼ mile east of Highway No. 10; and Treesbank Road (Road 43N) for one mile east of Highway No. 10 as projects funded by Gas Tax;

AND FURTHER that Paisley Road (Road 39N) and Hayfield Road (Road 46N) be maintained through the Operating Budget for portions of two miles located two and three miles east of the western boundary of the Municipality. CARRIED.

Speed Bumps

McDonald-McGregor

- 195-2021 BE IT RESOLVED that Administration investigate costs for temporary speed bumps to be installed in locations requiring additional speed controls. CARRIED.

Lagoon Tipping Fees

McDonald-Hatch

- 196-2021 BE IT RESOLVED that Administration prepare the necessary amendment to the Fees By-law to introduce tipping fees for anyone not paying the Lagoon Levy. CARRIED.

Paving Quotes

McGregor-McDonald

- 197-2021 BE IT RESOLVED that the low bid from Meseyton Construction Ltd. for milling and supply and placement of 50mm HMA between gutter and Municipal Infrastructure Right of Way on Fourth Street and for supply and placement of 50 mm HMA on Second Street at a cost of \$101,081.65 excluding GST be approved whereby funding shall be expended through the Capital Budget. CARRIED.

Utility Rate Study Proposals

McDonald-McGregor

- 198-2021 BE IT RESOLVED that the proposal by Dale Lyle of Way To Go Consulting Inc. for the provision of services to conduct a utility rate study at a cost of \$6,200 plus travel at \$.53/kilometer be approved whereby funding shall be expended through the Utility Budget. CARRIED.

Office Building Tenders

McDonald-McGregor

- 199-2021 WHEREAS tenders for either renovation of the existing office building in Wawanesa or construction of a new building to the same size and design in Nesbitt were issued and have closed;

AND WHEREAS the low bid for renovation of the existing building in Wawanesa was \$510,571.00;

AND WHEREAS the low bid for construction of a new building in Nesbitt was \$646,020.00;

NOW THEREFORE BE IT RESOLVED that the low bid of Jacobson Construction for the addition and renovation of the existing office building in Wawanesa, MB at a cost of \$510,571 be approved whereby funding shall be expended through the Capital Budget. DEFEATED.

Petition to Dissolve the Municipality of Oakland-Wawanesa

Cory-Sowiak

200-2021 WHEREAS correspondence was received from Dennis Rome on May 7, 2021 with respect to a petition to dissolve the Municipality of Oakland-Wawanesa;

AND WHEREAS verbal and written information from The Municipal Board dated May 5, 2021 indicates that involvement by municipal government commences with the receipt of a proposal and valid petition from the proponent by The Municipal Board;

AND WHEREAS verbal and written confirmation from The Municipal Board indicates they are unable to accept the Petition in its current state and require receipt of a completed Proposal and new Petition in compliance with The Municipal Act;

AND WHEREAS The Municipal Board has communicated same to Dennis Rome;

NOW THEREFORE BE IT RESOLVED that the communication from Dennis Rome be received and in the absence of a proposal and valid petition, that no action on the matter is appropriate by Council at this time. CARRIED.

Reconsideration Motion

Councillor McGregor gave notice of his intention to introduce a reconsideration motion at the next regular meeting of Council with respect to the office tender.

ADJOURNMENT

Sowiak-Hatch

201-2021 BE IT RESOLVED that this meeting does now adjourn (10:01 a.m.) to meet again on Tuesday, June 15, 2021 at 9:00 a.m. at the Nesbitt Hall. CARRIED.

Dave Kreklewich, Head of Council

Joni Swidnicki, Chief Administrative Officer