

Minutes of the Regular Meeting of the Council of the Municipality of Russell Binscarth, held in the Council Chambers, Russell, Manitoba on Tuesday, July 5th, 2016.

Mayor Len Derkach presiding and Councillors Cheryl Kingdon-Chartier, Rene Cadieux, Nick Foisy, Marg Fraser, Brent Havelange, Robert Laferriere, and Damien McNabb in attendance.

1. Call to Order – 7:04 pm

2. Confirmation of Agenda and Added Items

Resolution #246/16

Moved by Councillor Kingdon-Chartier

Seconded by Councillor Havelange

That the agenda and additional items for the Municipality of Russell Binscarth dated July 5th, 2016 be approved as presented.

Carried.

3. Confirmation of Minutes from Previous Meetings

Resolution #247/16

Moved by Councillor McNabb

Seconded by Councillor Cadieux

WHEREAS a copy of the minutes of the last regular meeting of Municipality of Russell Binscarth dated June 16th, 2016 has been provided to each member of Council;

AND WHEREAS a copy of the minutes of the last regular meeting of the Municipality of Russell Binscarth has been posted in the municipal offices;

THEREFORE BE IT RESOLVED that the reading of the minutes be dispensed with;

AND FURTHER BE IT RESOLVED that the minutes of the last regular meeting dated June 16th, 2016 be adopted as presented.

Carried.

Ray Frey representing Parkland Community Futures provided a contribution to the Kids Biz Camp 2016.

4. Delegations – 7:00 pm – Spear Lake

Geordie Daneliuk, Travis Layh, Dan Ferg and Richard Crosthwaite representing Russell Game and Fish made a presentation regarding Spear Lake operations, its history and the desire to have the Lake become a local recreational fishing lake.

Ray Frey representing FLIPPR made a presentation regarding Spear Lake, it's operation and the desire for FLIPPR to have the Lake reinstated as a trophy trout lake. FLIPPR as an organization has no interest in a local recreational perch or walleye lake.

Council agreed to defer the matter regarding the future of Spear Lake to the EDC Sector for consideration and a recommendation.

5. Items Held from Previous Meeting – Unfinished Business

- **Conditional Use 07/16**

Council deferred their decision regarding Conditional Use 07/16 until the August 16th, 2016 meeting.

6. Hearings

Resolution #248/16

Moved by Councillor Cadieux

Seconded by Councillor Laferriere

WHEREAS the Council of the Municipality of Russell Binscarth has scheduled to sit for a Public Hearing regarding the proposed Zoning By-law Amendment;

AND WHEREAS the time being 7:30 p.m.;

THEREFORE BE IT RESOLVED that the Council of the Municipality of Russell Binscarth sit for a Public Hearing regarding the proposed Zoning By-law Amendment.
Carried.

In attendance: Keith McDougall

Mayor Derkach opened the hearing to presentations regarding the Zoning By-law Amendment.

Keith McDougall made a presentation in regards to the rezoning of Lot 1 and Part of Lot 2, Block 109, Plan 377.

Resolution #249/16

Moved by Councillor Foisy

Seconded by Councillor Fraser

BE IT RESOLVED that the Public Hearing for the Zoning By-law be closed;

AND FURTHER BE IT RESOLVED that the Council return to regular session.
Carried.

Resolution #250/16

Moved by Councillor Foisy

Seconded by Councillor McNabb

WHEREAS the Council of the Municipality of Russell Binscarth has scheduled and provided notice of their intention to sit for a Variance Hearing in regards to the Variance Application 02/16 of Keith McDougall;

THEREFORE BE IT RESOLVED that the Council of the Municipality of Russell Binscarth sit for a Variance Hearing in regards to the application of Keith McDougall.
Carried.

In attendance: Keith McDougall

Mayor Derkach opened the hearing to presentations regarding the Variance Application.

Keith McDougall explained to Council the need for the variances requested in order to provide for the establishment of the 4-plex on the site.

Resolution #251/16

Moved by Councillor Foisy

Seconded by Councillor Kingdon-Chartier

BE IT RESOLVED that the Variance Hearing for Variation Application 02/16 be closed;

AND FURTHER BE IT RESOLVED that the Council return to regular session.
Carried.

Resolution #252/16

Moved by Councillor Foisy

Seconded by Councillor McNabb

WHEREAS the Council of the Municipality of Russell Binscarth has scheduled and provided notice of their intention to sit for a Variance Hearing in regards to the Variance Application 03/16 of Lester Goossen;

THEREFORE BE IT RESOLVED that the Council of the Municipality of Russell Binscarth sit for a Variance Hearing in regards to the application of Lester Goossen.
Carried.

In attendance: Keith McDougall

Mayor Derkach opened the hearing to presentations regarding the Variance Application.

Keith McDougall explained that the variance was necessary as part of the subdivision process. Separation of the property into 2 separate lots require the variance in order to be completed.

Resolution #253/16

Moved by Councillor Kingdon-Chartier

Seconded by Councillor McNabb

BE IT RESOLVED that the Variance Hearing for Variation Application 03/16 be closed;

AND FURTHER BE IT RESOLVED that the Council return to regular session.
Carried.

7. Committee Reports

➤ **Recreation Culture Health & Protective Services Sector Committee – Status Report**

Resolution #254/16

Moved by Councillor Havelange

Seconded by Councillor Cadieux

WHEREAS the Expanding Community Cancer Care has been designated as a project that may receive donations from the Living Legacy Community Foundation;

AND WHEREAS the Foundation must provide funds to municipal corporations or other charitable entities;

AND WHEREAS the Expanding Community Cancer Care Project is not an approved organization for receipt of funds from a foundation;

THEREFORE BE IT RESOLVED that the Municipality of Russell Binscarth agree to accept funds from the Living Legacy Community Foundation on behalf of the Expanding Community Cancer Care Project;

AND FURTHER BE IT RESOLVED that the Municipality of Russell Binscarth agree to forward all funds received from the Living Legacy Community Foundation on behalf of the Expanding Community Cancer Care Committee for the Expanding Community Cancer Care Project.

Carried.

Resolution #255/16

Moved by Councillor Havelange

Seconded by Councillor Fraser

That the Council of the Municipality of Russell Binscarth accept the recommendation of the Recreation Culture Health and Protective Services Committee to reinstate the word “Memorial” in the Title of the Multiplex

AND FURTHER BE IT RESOLVED that the Multiplex be named the Russell Memorial Multiplex.

Carried.

Resolution #256/16

Moved by Councillor Havelange

Seconded by Councillor McNabb

That the Council of the Municipality of Russell Binscarth accept the recommendation of the Recreation Culture Health and Protective Services Committee and approve payment of the following grants for 2016:

• Russell Ag Society	\$ 2,000	after receipt of 2016 taxes
• Binscarth Minor Ball	\$ 500	
• Binscarth Nursery School	\$ 200	
• Binscarth Canada Day	\$ 1,000	
• Binscarth Golf Club	\$ 1,000	
• Binscarth Vision 20/20	\$ 400	
• Russell Curling Club	\$ 10,000	
• Binscarth Curling Club	\$ 3,250	
• Binscarth Park and Pool	\$ 5,500	in operating dollars
• Binscarth Park and Pool	\$ 25,000	In capital dollars
• Binscarth Arena	\$ 1,250	
• Senior Services	\$ 6,500	
• Binscarth Hall	\$ 7,500	
• Library	\$ 28,083	

Carried.

Resolution #257/16

Moved by Councillor Havelange

Seconded by Councillor Kingdon-Chartier

That the Council of the Municipality of Russell Binscarth accept the Recreation Culture Health & Protective Services Sector Committee report dated June 21st, 2016 as presented by Chairperson Brent Havelange.

Carried.

➤ **Infrastructure & Public Utilities Sector Committee – Status Report**

Resolution #258/16

Moved by Councillor Cadieux

Seconded by Councillor McNabb

WHEREAS the Municipality of Russell Binscarth has passed Resolution No. 95/16 regarding the existing low level crossing at Smith Creek on the old No. 4 Highway has been lost due to erosion;

AND WHEREAS the Municipality has requested and received support from the RM of Langenburg for the proposed the solution to replace the low level crossing subject to slight modification;

AND WHEREAS the Municipality of Russell Binscarth has requested a revised quote from Russell Redi Mix Concrete in consideration of the changes requested by the RM of Langenburg;

THEREFORE BE IT RESOLVED that the Council of the Municipality of Russell Binscarth approve the quote of Russell Redi Mix Concrete dated June 8th, 2016 to complete the work required for supply and placement of a low level crossing on the old No. 4 Highway at Smith Creek at a price of \$77,000 plus applicable taxes.

Carried.

Resolution #259/16

Moved by Councillor Cadieux

Seconded by Councillor McNabb

WHEREAS the Municipality has budgeted for improvements to the 200 Block North of Shell River Avenue in Russell;

AND WHEREAS the project has been divided into 2 components, a concrete gutter and paving of the street;

AND WHEREAS the Municipality of Russell Binscarth has requested bids from a number of contractors regarding the proposed concrete gutter;

THEREFORE BE IT RESOLVED that the Council of the Municipality of Russell Binscarth approve the selection of Key Builders Inc. to complete the work required for supply and placement of a concrete gutter in the 200 Block North of Shell River Avenue at a price of \$15,005 plus applicable taxes.

Carried.

Resolution #260/16

Moved by Councillor Cadieux

Seconded by Councillor McNabb

That the Council of the Municipality of Russell Binscarth deny the request for reimbursement of costs associated with sewer backup at 321 Memorial Avenue S.

Carried.

Resolution #261/16

Moved by Councillor Foisy

Seconded by Councillor Fraser

WHEREAS the Municipality of Russell Binscarth has received an application from MTS requesting a Right of Way along Augusta Street West, Shell River Avenue North, Arsini Avenue West and Main Street North as identified on the Plan referenced in MTS File #90762/9132928;

THEREFORE BE IT RESOLVED THAT the Council of the Municipal of Russell Binscarth approve the municipal Right of Way application from MTS as identified on the Plan referenced in MTS File #90762/9132928;

AND FURTHER BE IT RESOLVED THAT the CAO be authorized to sign the said application.

Carried.

Resolution #262/16

Moved by Councillor Kingdon-Chartier

Seconded by Councillor Havelange

WHEREAS the Municipality of Russell Binscarth has received an application from Manitoba Hydro requesting an extension of its gas pipeline network to provide service to 607 Main Street N. as per Plan CD-17754;

THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Russell Binscarth approve Manitoba Hydro Plan #CD-17754;

AND FURTHER BE IT RESOLVED THAT the CAO be authorized to sign the said Plan approval.

Carried.

Resolution #263/16

Moved by Councillor McNabb

Seconded by Councillor Foisy

WHEREAS the Municipality of Russell Binscarth has received an application from Crown Utilities requesting the installation of fibre optic cable throughout the Municipality as per plans submitted June 8th, 2016;

THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Russell Binscarth approve Crown Utilities Ltd. Plans for installation of fibre optic cable within the Municipality subject to the following condition:

- the fibre optic line to be moved from the south side of Rosnoski Drive to the north side of Rosnoski Drive to avoid conflicts with existing water and sewer infrastructure.

AND FURTHER BE IT RESOLVED THAT the CAO be authorized to sign any documents necessary to complete the approval.

Carried.

Resolution #264 /16

Moved by Councillor Foisy

Seconded by Councillor Cadieux

That the Council of the Municipality of Russell Binscarth accept the Infrastructure & Public Utilities Sector Committee report dated June 20th, 2016 as presented by Councillor Rene Cadieux.

Carried.

Resolution #265/16

Moved by Councillor Foisy

Seconded by Councillor Fraser

THEREFORE BE IT RESOLVED that the Council of the Municipality of Russell Binscarth approve and take full responsibility for the Financial Statements for the year ended December 31st, 2015;

AND FURTHER BE IT RESOLVED that Nicholas Foisy, Chairman of the Finance Committee be authorized to sign the Memo of Responsibility and Approval regarding the December 31st, 2015 Financial Statement;

AND FURTHER BE IT RESOLVED that Nicholas Foisy, Chairman of the Finance Committee and CAO Wally R. Melnyk be authorized to sign the Management Representation Letter.

AND FURTHER BE IT RESOLVED that CAO Wally R. Melnyk be authorized to sign the Statement of Responsibility section of the December 31st, 2015 Audited Financial Statement.

Carried.

Resolution #266/16

Moved by Councillor Havelange

Seconded by Councillor Kingdon-Chartier

WHEREAS Subsection 8.5 of the Municipality of Russell Binscarth Procedural By-law No. 02/02/15 states in part that

“ the item on the agenda under discussion at 10 p.m. will be the last item dealt with on that day.”

AND WHEREAS Section 8.5 of Municipality of Russell Binscarth Procedural By-law No. 02/02/15 permits for the extension for the time of adjournment for a maximum of ½ hour;

THEREFORE BE IT RESOLVED that the Council meeting be extended by 30 minutes and that the Council be permitted to sit and complete the current meeting agenda.

Carried.

➤ **Economic Development, Finance & Commerce Sector Committee – Status Report**

Resolution #267/16

Moved by Councillor Foisy

Seconded by Councillor Havelange

That the Council of the Municipality of Russell Binscarth approve the revised lease agreement dated March 1st, 2016 between Bernie Ervick and the Municipality for the lease of the building at 418 Ellice Avenue North – Russell;

AND FURTHER BE IT RESOLVED that the Deputy-Mayor and CAO be authorized to sign the said agreement on behalf of the Municipality.

Carried.

Resolution #268/16

Moved by Councillor Foisy

Seconded by Councillor Kingdon-Chartier

That the Council of the Municipality of Russell Binscarth approves payments as follows:

Cheque #2192 – 2280 in the amount of \$127,312.02 from the Municipality of Russell Binscarth General Account #11041038630 at the Vanguard Credit Union.

Carried.

Resolution #269/16

Moved by Councillor Kingdon-Chartier

Seconded by Councillor Havelange

That Council of the Municipality of Russell Binscarth accept the Economic Development, Finance & Commerce Sector Committee report dated July 5th, 2016 as presented by Chairman Len Derkach.

Carried.

8. Action/Recommendation Items – Resolutions/By-laws

9. Other Business

Resolution #270/16

Moved by Councillor Havelange

Seconded by Councillor Kingdon-Chartier

WHEREAS the Municipality of Russell Binscarth has received a Variance Application No. 03/16 from Lester Goossen to subdivide Lot 26, Plan 52724 into 2 lots along a common party wall creating 2 parcels. The created parcels require the following variance:

- interior side yard reduced to 0
- overall property size reduced by 500 sq ft/lot to 4,500 sq ft for each lot
- site width reduced by 11 feet to 39 feet for each lot
- rear yard reduced by 4 feet to 21 feet for each lot

AND WHEREAS the Council of the Municipality of Russell Binscarth has held a Public Hearing regarding the Application;

THEREFORE BE IT RESOLVED that Variance Application No. 03/16 be approved.

Carried.

Resolution #271/16

Moved by Councillor Kingdon-Chartier

Seconded by Councillor Havelange

That the Council of the Municipality of Russell Binscarth approve the following summer regular council meeting schedule:

- | | | |
|----------------------------------|-----------|----------------------|
| • July 26 th , 2016 | Cancelled | |
| • August 16 th , 2016 | Postponed | |
| • August 23 rd , 2016 | 7:00 p.m. | Russell Civic Centre |
- Carried.

Resolution #272/16

Moved by Councillor Foisy

Seconded by Councillor Kingdon-Chartier

That the Council of the Municipality of Russell Binscarth accept the bid of Kathleen Jerome for the provision of maintenance services for the Russell Civic Centre from April 1st, 2016 to March 31st, 2017.

Carried.

Resolution #273/16

Moved by Councillor Cadieux

Seconded by Councillor McNabb

WHEREAS Council has passed By-law No. 27/02/16 closing a portion of Harrowby Road;

AND WHEREAS it is the intention of Council that the closed road be transferred to the adjacent property owner;

THEREFORE IT IS RESOLVED that Parcel A as shown on a Plan of Public Road to be Closed in SE ¼ Section 20-28-29 WPM prepared by Timothy Longstaff MLS and sworn on 18th of November, 2015 (Deposit 1892-2015 NLTO), subject to special reservations as to mines minerals and other matters as particularly defined in the original Grant from the Crown, be transferred to Canadian Pacific Limited, for consolidation with Parcel A, Plan 31640 NLTO subject to special reservations as to mines, minerals and other matters as particularly defined in the original Grant from the Crown as to portion in SE ¼ only in E ½ 28-20-29 WPM.

Carried.

10. Administrative Issues

Resolution #274/16

Moved by Councillor Foisy

Seconded by Councillor Havelange

WHEREAS Subsection 184 (1) of the Municipal Act requires municipalities to appoint their own auditors;

THEREFORE BE IT RESOLVED that the Municipality of Russell Binscarth approve the appointment of Sensus for the provision of audit service to the Municipality of Russell Binscarth for the fiscal year ending December 31st, 2016.

Carried.

11. Correspondence was reviewed and considered.

12. Notice of Motion

13. Next Meeting – August 23rd, 2016

14. Adjournment.

Adopted this 23rd day of August A.D., 2016.

Mayor, Municipality of Russell Binscarth

C.A.O., Municipality of Russell Binscarth