

**TOWN OF CARBERRY
REGULAR MEETING OF COUNCIL
November 14, 2023 (7:00 p.m.)
MINUTES**

1. Calling Meeting to Order

Res #246-23 BE IT RESOLVED THAT the meeting be convened at 7:00 p.m. with Mayor Raymond Muirhead in the Chair.

Moved by: M. Sudak **Seconded by:** W. Kalinowich

Carried: X **Lost:** ____

2. Roll Call

	<u>Present</u>	<u>Regrets</u>
Muirhead	X	
Kalinowich	X	
Anderson	X	
Sudak	X	
Denton		X
YC Downey	X	

3. Adoption of Agenda

Res #247-23 BE IT RESOLVED THAT the agenda for the regular meeting of **November 14th, 2023** be adopted as circulated.

Moved by: M. Sudak **Seconded by:** J. Anderson

Carried: X **Lost:** ____

4. Adoption of Minutes

Res #248-23 BE IT RESOLVED THAT the minutes for the regular meeting of October 10th, and the Joint Committee Meeting of October 23rd be adopted as circulated.

Moved by: W. Kalinowich **Seconded by:** J. Anderson

Carried: X **Lost:** ____

5. Delegations

6. Planning matters

7:05 Variation Order

7:15 Conditional Use Order

Res #249-23 BE IT RESOLVED THAT Council adjourn its regular meeting at 7:05 p.m. for the purpose of holding a public hearing regarding the applications for conditional use order and variation order.

Moved by: M. Sudak **Seconded by:** W. Kalinowich

Carried: X **Lost:** ____

In attendance for the public hearing: Development Officer R. Andrews, E. Surminsky and M. Labelle. A conditional use and variation order has been

brought forward from A. Henrikson, acting on behalf of the owner E. Surminsky. The applicant is requesting to establish a Cannabis Retail Establishment within the “CC” Commercial Zone at a rental unit located at 37 Main Street. D.O. Andrews had no concerns with the conditional use and variation order, stating that if the orders were approved the applicant would meet all regulations and zoning requirements. Some of council expressed their preference to have the business located in the rental space facing Main Street, while other council would prefer to see the business at the back of the building. There are several Provincial regulations and requirements that may determine where the business should be located. It was determined that if the business was going to be located in the back of 37 Main Street, E. Surminsky was asked to report that back to council.

Res #250-23 BE IT RESOLVED THAT the public hearing regarding the applications for conditional use order and variation order be adjourned at 7:13 p.m. and that the regular meeting of Council resume.

Moved by: M. Sudak **Seconded by:** J. Anderson

Carried: X **Lost:** ____

Res #251-23 BE IT RESOLVED THAT Council approve the Conditional Use Order No. CU10-23-C, to establish a Cannabis Retail Establishment with in the “CC” Commercial Central Zone,

Subject to the following conditions:

1. Approval of this order is conditional on meeting all Provincial Cannabis Licensing requirements.

Moved by: M. Sudak **Seconded by:** J. Anderson

Carried: X **Lost:** ____

Res #252-23 BE IT RESOLVED THAT Council approve Variation Order No. V06-23-C to reduce the site requirement and setbacks in a “CC” Commercial Central Zone from a “RG” Residential Zone to establish a Cannabis Retail Establishment within the “CC” Commercial Central Zone.

Subject to the following conditions:

1. Approval of this order is conditional on meeting all Provincial Cannabis Licensing requirements.

Moved by: J. Anderson **Seconded by:** M. Sudak

Carried: X **Lost:** ____

Micheal Labelle was in attendance for the variation and conditional use orders as he owns the neighbouring property. He asked if he could bring forward some concerns he has about his building at 33 Main Street. Sirius by-law gave him notice to seal up the property with fencing and advise of his plans to rectify the problem by October 2023. There is an active demolition permit on the premises; meaning steps are being followed to rectify the problem so no fine or notice from by-law officer needed. Phase 1 of the permit is complete and phase 2 should be complete by the summer of 2024. A buyer is interested in the building which may bring this timeline up.

7. Finance and Accounts

a. ACAO Finance Report

Res #253-23 BE IT RESOLVED THAT the Financial Statement for October 2023 and September Bank Reconciliation be approved as recommended by the Finance Committee.

Moved by: M. Sudak **Seconded by:** W. Kalinowich

Carried: X **Lost:** ____

Res #254-23 BE IT RESOLVED THAT the accounts, cheque no. 14527 to cheque no. 14608 totaling **\$961,055.53** and direct withdrawals of **\$73,139.22** be approved for payment, as recommended by the Finance Committee.

Moved by: W. Kalinowich **Seconded by:** J. Anderson

Carried: X **Lost:** ____

8. Public Hearings

None

9. By-laws

b. Transfer Station By-law

Res #255-23 BE IT RESOLVED THAT the By-law 5/2023, The Town of Carberry Transfer Station Fee By-law, hereby be read a first time and be referred to council.

Moved by: W. Kalinowich **Seconded by:** J. Anderson

Carried: X **Lost:** ____

Res #256-23 BE IT RESOLVED THAT the By-law 5/2023, The Town of Carberry Transfer Station Fee By-law, hereby be read a second time and be referred to council.

Moved by: M. Sudak **Seconded by:** W. Kalinowich

Carried: X **Lost:** ____

10. Unfinished Business

c. Resolutions from the Joint Committee

Res #257-23 BE IT RESOLVED THAT the Joint Committee hire Chris Norquay as the Joint Utility Employee, with details outlined in the employment letter,

AND FURTHER BE IT RESOLVED THAT the costs be shared 50/50 between the Town of Carberry and Municipality of North Cypress-Langford.

Moved by: W. Kalinowich **Seconded by:** J. Anderson

Carried: X **Lost:** ____

Res #258-23 BE IT RESOLVED THAT Council approve an allowance of up to \$250 from each council for the TOC and NCL Christmas party draws.

Moved by: M. Sudak **Seconded by:** W. Kalinowich

Carried: X Lost: ____

Councilor Sudak declared a conflict and excused himself for the MEC discussion.

d. Municipal Emergency Co-Ordinator

The Town was given notice from the CAO of the Municipality of North Cypress-Langford that they were not willing to share their EMC employee, Teresa Parker. The Town has been advertising for some time for someone to step into the EMC position. An application from Callie Sudak was received and reviewed and discussed in depth. The Town's emergency plan will need to be edited and approved by council in the December meeting. Rachel Andrew's offered to be an alternate EMC if required.

Res #259-23 BE IT RESOLVED THAT the Council accept Callie Sudak's application for Town of Carberry Emergency Measures Co-ordinator at a salary of \$250 per month, \$25 per hour for time spent dealing with an emergency, plus \$50 per month cell phone allowance.

AND FURTHER BE IT RESOLVED THAT any necessary training through MAMEC will be paid for by the Town of Carberry.

Moved by: J. Anderson **Seconded by:** W. Kalinowich

Carried: X Lost: ____

e. 615 4th Ave Old Shop Demo Project

Demo has stopped at the old shop and will resume again in the spring. Contractor, Zeke Scott, has hoarded both the water tank and pipes to keep them from freezing. An agreement has been signed and acknowledged from Manitoba Hydro. Once hydro is in place, we can instal the appropriate heaters that re regulated by a thermometer. Public Works staff plan to check on the heaters daily in the winter months.

f. 726 4th Ave Property

Council has met with the owner of this property to discuss future plans going forward. The property is a violation to our unsightly property by-law and has been for several months now. The owner has been served 3 notices by Sirius By-law officers and has failed to rectify the problem within the timeline given.

Res #260-23 BE IT RESOLVED THAT Council approves after giving 3rd notice to property 726 Fourth Avenue, Carberry, MB, the Town of Carberry will proceed with procedures laid out in Vacant and Derelict Buildings by-law number 4/2021.

AND FURTHER BE IT RESOLVED THAT council will be seeking legal council to go forward with this resolution.

Moved by: M. Sudak **Seconded by:** W. Kalinowich

Carried: X Lost: ____

g. Main Street Paving

Discussion continues to be ongoing regarding the Town paving Main Street and not being reimbursed for costs from the province. The Town will be taking discussions one step further and consulting a lawyer.

h. Website Provider Options

Office Administrator, Tricia Zander, prepared a proposal to council listing 3 different options for website providers for the Town website. Our current provider, Catalis, is very expensive. While the website is functional, editing the website is not very user friendly and it is difficult to do simple tasks like: adding photos, changing dates and adding notices. When Catalis' support is called upon, the wait time for a response is sometimes months. Staff sat in on a presentation from a company called Upanup, a Municipal Website developer based out of Victoria, that seemed to check all of the boxes staff required for day to day website needs. They are user friendly and launch of the new site could fall within a short period of 6 to 10 weeks.

Res #261-23 BE IT RESOLVED THAT Council approves Upanup as the future website provider for the Town of Carberry on a one year trial basis for a \$5,000 set up fee and another \$200 per month for service fees as set out in their proposal.

AND FURTHER BE IT RESOLVED THAT further services with Catalis be cancelled.

Moved by: M. Sudak **Seconded by:** J. Anderson

Carried: X **Lost:** ____

11. General Business

i. AMM Fall Convention

Res #262-23 BE IT RESOLVED THAT the Mayor and Deputy Mayor be authorized to attend the Association of Manitoba Municipalities Fall Convention in Brandon November 28th to 30th,

AND FURTHER BE IT RESOLVED THAT mileage, meals, and accommodations be covered by the Town of Carberry.

Moved by: M. Sudak **Seconded by:** J. Anderson

Carried: X **Lost:** ____

j. Add AR Invoices to taxes

Res #263-23 BE IT RESOLVED THAT Council add the following invoices to taxes:

Invoice #2023-00049 in the amount of \$230.00 plus interest to Roll #200
Invoice #2023-00147 in the amount of \$165.00 plus interest to Roll #32200
Invoice #2022-00140 in the amount of \$59.61 plus interest to Roll #41450
Invoice #2022-00164 in the amount of \$25.00 plus interest to Roll #26900
Invoice #2023-00143 in the amount of \$165.00 plus interest to Roll #70800

Moved by: W. Kalinowich **Seconded by:** J. Anderson

Carried: X **Lost:** ____

k. Waste, Recycling and Glass Collection RFP

Our contract with TAC Ventures is up at the end of December 2023. An RFP has been started with the help of MMSM. The RFP will require the CAO's help in

sorting through some of the information MMSM is looking for. We will hopefully have it out by the end of next week.

l. Joint Utility Employees

Res #264-23 BE IT RESOLVED THAT the Joint Committee accept the resignations of Joint Utility employees: Nicole McMillan as of August 16, 2023 and Chris Norquay as of November 4, 2023.

Moved by: M. Sudak **Seconded by:** W. Kalinowich

Carried: X **Lost:** ____

Res #265-23 BE IT RESOLVED THAT the Joint Committee hire Bryce Leverington as the Joint Utility Employee, with details outlined in the employment letter,

AND FURTHER BE IT RESOLVED THAT the costs be shared 50/50 between the Town of Carberry and Municipality of North Cypress-Langford.

Moved by: J. Anderson **Seconded by:** W. Kalinowich

Carried: X **Lost:** ____

m. Recreation Special Service By-law

The Recreation Special Service by-law expires at the end of 2023. New rates were discussed and a public hearing will be scheduled for the December meeting where the updated recreation special service by-law will be presented.

n. Sewer Installation on Brettell Road

There was some concern and discussion about how sewer lines should be installed in a multi-family home. Our current policy is being discussed and will be revised in the coming months.

o. Cell phone compensation and office hours

Res #266-23 BE IT RESOLVED THAT Council approves cell phone compensation of \$50 per month for the ACAO, Office Administrator and EDO retro active to June 2023.

AND FURTHER BE IT RESOLVED THAT Council approves closing the office to the public for an Administration Day on a 3-month trial basis beginning December 7, 2023.

Moved by: M. Sudak **Seconded by:** W. Kalinowich

Carried: X **Lost:** ____

p. Committee appointment: Arts Council

Mayor Muirhead has appointed Emma Denton to the Arts Council committee.

q. Municipal Mentors – PUB Rate Full Application

Municipal Mentors was asked to help with a full sewer rate application for PUB. Their suggestion was for office staff to continue applying using the simplified applications until PUB tells us they require a full application.

r. *Seniors Age Friendly Letter of Support*

Res #267-23 BE IT RESOLVED THAT the Council of the Town of Carberry supports the application submitted by Debbie Steen (Service for Seniors) on the Age Friendly Manitoba Initiative Program to actively support, promote and work toward our community becoming Age-Friendly.

Moved by: M. Sudak **Seconded by:** J. Anderson

Carried: X **Lost:** ____

12. Reports

s. *Youth Councilor Report*

As reported

t. *ACAO Report*

As reported

u. *Economic Development Report*

As reported

v. *Public Works Report*

As reported

w. *Recreation Manitoba 2024 Awards Program Nomination Package*

Nominees are being considered and will be submitted by the January 16, 2024 deadline.

x. *Committee Reports*

- i. *Protective Services – Fireman’s ball Dec 2nd*
- ii. *Public Works – hall cement pad poured, culverts installed*
- iii. *Buildings – Drop In air cond. quotes, sign at rink needed*
- iv. *Waste Management – building design approved, tenders in*
- v. *Archives – old documents found, grant from CACF received*
- vi. *Arts Council – meeting November 20th*
- vii. *Cemetery – meeting November 16th*
- viii. *Museum – trees need trimming, CACF grant received*
- ix. *Handivan/Seniors – tender received for handivan*
- x. *Library – 2024 budget passed*
- xi. *Health Action – doctor from UK interested in Carberry*
- xii. *Planning – meeting November 22nd*
- xiii. *Rec Board – prices and quotes gathered for various things*
- xiv. *Whitemud – nothing to report*

13. Communications

<u>From</u>	<u>Subject</u>
a. MTI	Snow Removal Agreement - signed
b. Whitemud Watershed	Councilor / Ratepayer Appointments - confirm
c. Joanne Cooper-Brown	Loading Zone By-law – direct to Planning
d. Andrea Epp	Men’s Mental Health Evening Souris – to EDO
e. Burns Maendel	Campground Sewer & Water Contract - signed

- f. Min. of Mun & Northern Affairs Formal "Hello" - filed
- g. PUB 2022 Anticipated Deficit – no deficit, filed
- h. New Base Commander Meeting with Mayor Muirhead – to Mayor
- i. MB Crime Stoppers Financial support consideration – to CAO

14. Added to the Agenda

None

15. Around the Table

Mayor Muirhead

- Placed the wreath at the Remembrance Day service

Deputy Mayor Kalinowich

- Suggest parking time limit of 15 minutes outside Town office
- Lagoon tenders need to go out for next year

Councilor Anderson

- Unsure of next surgery date, will let us know when he knows

Councilor Sudak

- Signs at the school need to be changed to co-inside with by-law
- Highways were supposed to report back to us their findings in October. Where are they at?
- Garbage was dumped in front of the Town office and is rude to our employees. Letter needs to be sent to homeowner.
- Can our infrastructure handle the extra waste (sewer and garbage) from the new development, duplexes and 4-plexes being put up and/or planned?

ACAO McConnell

- Christmas party – who's coming?
- Office sign installation quote from Scott Builders
- Moonlight madness is December 1st and parade is December 2nd
- Council statements of holding are due November 30th and in council folders.

Youth Councillor Downey

- Who should be salting the sidewalks at the school? Very icy by staff parking lot.

16. In Camera

Res #268-23 BE IT RESOLVED THAT Council move in camera under Section 152(3)(b)(ii) of the *Municipal Act* to discuss personnel matters.

Moved by: M. Sudak **Seconded by:** W. Kalinowich

Carried: X **Lost:** ____

Res #269-23 BE IT RESOLVED THAT Council move out of in-camera and resume the regular meeting.

Moved by: M. Sudak **Seconded by:** J. Anderson

Carried: X **Lost:** ____

Res #270-23 BE IT RESOLVED THAT Council agrees, due to the unexplained absence for October and November, to rescind councilor E. Denton's indemnity for the next 3 pay periods (pp 24, 25 and 26).

Moved by: J. Anderson **Seconded by:** W. Kalinowich

Carried: X **Lost:** ____

Res #271-23 BE IT RESOLVED THAT Council approves paying ACAO McConnell a bonus of \$2,500 for assuming the role of CAO on a temporary basis.

Moved by: M. Sudak **Seconded by:** J. Anderson

Carried: X **Lost:** ____

17. Adjournment

Res #272-23 BE IT RESOLVED THAT the regular meeting of council now adjourns at 11:15 p.m.

Moved by: J. Anderson **Seconded by:** M. Sudak

Carried: X **Lost:** ____

Raymond Muirhead
Mayor

Teresa McConnell
ACAO