

**COUNCIL MEETING #21/09
(7:30 P.M. TO 8:30 P.M.)**

TOWN OF STONEWALL

DECEMBER 23, 2009

A regular meeting of the Council of the Town of Stonewall was held on Wednesday, December 23, 2009 commencing at 7:30 P.M. in the Council Chambers, Town Hall, Stonewall, MB.

Mayor Thompson, Councillors Badger, Corbin, McLean, Ploszay and CAO Potter Assistant CAO Patterson absent.

ADDITIONS TO AGENDA

There were no additions to the Agenda.

MINUTES

RESOLUTION NO. 398/09: Corbin, McLean

BE IT HEREBY RESOLVED THAT the minutes of the December 9, 2009 Regular meeting of Council be adopted as posted and circulated.

CARRIED

MATTERS ARISING OUT OF THE MINUTES

There were no matters arising from the minutes.

DELEGATIONS, HEARINGS & PETITIONS:

There were no Delegations, Hearings or Petitions.

COMMITTEE REPORTS:

COMMITTEE OF THE WHOLE

RESOLUTION NO. 399/09: Badger, Ploszay

BE IT HEREBY RESOLVED THAT the minutes of the December 16th, 2009 Committee of the Whole meeting be adopted as presented.

CARRIED

FINANCE

RESOLUTION NO. 400/09: Badger, Ploszay

BE IT HEREBY RESOLVED THAT Dan McDermid be authorized to attend the MMAA Leadership in Safety Excellence course in Winnipeg on January 22, 2010 at a cost of \$199.00.

CARRIED

RESOLUTION NO. 401/09: McLean, Corbin

BE IT HEREBY RESOLVED THAT Town of Stonewall Finance Report #24/09 having been adopted by the Town of Stonewall Finance Committee be hereby

authorized for payment in the following amounts:

GENERAL ACCOUNTS:	\$255,174.36
UTILITY ACCOUNTS:	\$ 15,344.34
QP DEBIT-CREDIT ACCOUNTS:	\$ 71.40

CARRIED

RESOLUTION NO. 402/09: Ploszay, Badger

BE IT HEREBY RESOLVED THAT the Financial Statements for the period August 31, 2009 to November 30th, 2009 be adopted as presented.

CARRIED

OTHER

Quarry Park Heritage Arts Centre – Councillors Badger and McLean and CAO Potter informed the Council of the presentation of the Class “C” Cost Estimate for the construction of the Heritage Arts Centre to the Design Team on December 22, 2009 by the Construction Management firm, Crystal Construction. The Class “C” Cost Estimate is an opinion of cost which was based on the schematic design for the building. A Class Cost “C” cost estimate should be +/- 20% of the Budget. The Class “C” Cost Estimate presented was \$275,210 over the budget allowance for the construction of the building of \$4,174,448 (or 6.6%). The Construction Management firm and the Architect, Friesen Tokar, both requested the Design Team to consider options to reduce the Class “C” Cost Estimate back to the budget allowance. The Design Team after review and discussion agreed it could not consider a reduction of the building size or lesser interior/exterior finishings as this would greatly reduce the functionality and appearance of the building to something less than the Design Team and community could accept. Further review was given to the estimates in the Class “C” Cost and a reduction of \$74,000 +/- \$5,000 was made resulting in an adjusted Class “C” Cost Estimate of \$4,375,658 or \$201,210 above the building construction budget allowance. The consensus of the Design Team was to recommend to Council the current identified funding shortfall (\$201,210) be fundraised. The Council agreed and confirmed that the funding shortfall would be addressed by fundraising. The Architect and Construction Management firm have will be completing the construction drawings and a Class “B” Cost Estimate for presentation to the Design Team the end of January / beginning of February 2010.

BY-LAWS

CONSIDERATION

BL 14/09 – amend BL 7/09 - Capital Project Borrowing – Heritage Arts Centre

RESOLUTION NO. 403/09: Badger, Ploszay

BE IT HEREBY RESOLVED THAT pursuant to Section 14.6 and 14.7 of the Town's Procedural By-law (Notice of Motion and Consideration of Reversal of a Decision) the Council of the Town of Stonewall reverses the decision of Resolution No. 341/09 passed on October 28, 2009 to give third reading to By-law No. 14/09

AND FURTHER BE IT RESOLVED THAT By-law No. 14/09, as amended by The Municipal Board, and being a by-law to amend By-law No. 7/09 (increase total project cost and interim financing amount for Heritage Arts Centre Capital Project) be now read a third time and passed.

	FOR	AGAINST	ABSTAIN
CORBIN	X		
BADGER	X		
McLEAN	X		
PLOSZAY	X		
THOMPSON	X		

CARRIED

BL 16/09 – Gateway Legal & Engineering Agreement

RESOLUTION NO. 404/09: McLean, Corbin

BE IT HEREBY RESOLVED THAT By-law No. 16/09, authorizing the execution of an Agreement with Gateway Construction & Engineering Ltd. concerning the recovery of legal, engineering and consulting fees, having been introduced be now read a second time.

CARRIED

RESOLUTION NO. 405/09: Ploszay, Badger

BE IT HEREBY RESOLVED THAT By-law No. 16/09 be now read a third time and passed.

	FOR	AGAINST	ABSTAIN
CORBIN	X		
BADGER	X		
McLEAN	X		
PLOSZAY	X		
THOMPSON	X		

CARRIED

BL 17/09 – Amend Employee BL 1/07 (2009)

RESOLUTION NO. 406/09: McLean, Corbin

BE IT HEREBY RESOLVED THAT By-law No. 17/09, being a by-law to amend the Employee By-law No. 1/07, as amended, for adjusted 2009 salaries and wages, having been introduced be now read a second time.

CARRIED

RESOLUTION NO. 407/09: Badger, Ploszay

BE IT HEREBY RESOLVED THAT By-law No. 17/09 be now read a third time and passed.

	FOR	AGAINST	ABSTAIN
CORBIN	X		
BADGER	X		
McLEAN	X		
PLOSZAY	X		
THOMPSON	X		

CARRIED

HOLDING

BL 13/08 – Murray Legal & Engineering Cost Recovery Agreement

BL 18/08 – Amend Zoning By-law

BL 20/08 – Murray Development Agreement

BL 21/08 – Dueck Development Agreement
BL 15/09 – Goodman Development Agreement

UNFINISHED BUSINESS

There was no unfinished business for presentation to Council

CORRESPONDENCE

<u>FROM</u>	<u>SUBJECT</u>	<u>DISPOSITION</u>
MB Water Stewardship	copy of letter to B Good on drainage and lagoon concerns	For Information
RCMP, Stonewall	Sgt Baker leaving Detachment	For Information
RCMP, Stonewall	Nov/09 Policing Report	Res#408/09
OFC	designation of Local Assistants Fire Commissioner	Res#409/09
RCL Manitoba / NW Ontario Command	request support for Military Service Recognition Book	Res#410/09

RESOLUTION NO. 408/09: McLean, Corbin

BE IT HEREBY RESOLVED THAT the RCMP monthly policing report for November 2009 be accepted as presented.

CARRIED

RESOLUTION NO. 409/09: Ploszay, Badger

BE IT HEREBY RESOLVED THAT pursuant to the requirements of the Fire Prevention and Emergency Response Act and the request from the Fire Commissioner of the Province of Manitoba the following persons are designated by the Town of Stonewall as Local Assistants to the Fire Commissioner –

Darryl Mann, Fire Chief
Tim Cameron, Deputy Chief
Brian Baryliuk, Deputy Chief
Curtis McClintock, Deputy Chief
Todd Kozokowsky, Deputy Chief

CARRIED

RESOLUTION NO. 410/09: Corbin, McLean

BE IT HEREBY RESOLVED THAT the Town of Stonewall take a ¼ page (full colour) advertisement in the Royal Canadian Legion, Manitoba/NW Ontario command "Military Service Recognition Book" at the cost of \$395.00.

CARRIED

NEW BUSINESS

West Lift Station assessment

RESOLUTION NO. 411/09: Badger, Ploszay

BE IT HEREBY RESOLVED THAT the proposal from AECOM, dated December 18th, 2009 for the assessment of the west lift station be accepted.

CARRIED

2010 Street Grant-in-Aid application

RESOLUTION NO. 412/09: Corbin, McLean

BE IT HEREBY RESOLVED THAT application be made to the Department of Infrastructure and Transportation under the Grant-in-Aid Program for funding assistance for the following –

1. Fifth St. West – between 2nd Ave. North and 4th Ave. North – street reconstruction urban cross section asphalt surface with curb/gutter – 160 lm @ 10.0 m width and 140 lm @ 8.5 m width - \$235, 802
2. Third Ave. South – between Taylor Place and 12th Street West – dust control .56 km - \$2,016

CARRIED

2009 Grants

RESOLUTION NO. 413/09: Ploszay, Badger

BE IT HEREBY RESOLVED THAT the following grants be made in 2009 pursuant to Section 261 of the Municipal Act:

South Interlake 55 Plus	\$1,000.00
Stonewall Quarry Days	\$2,000.00
Stonewall Youth for Christ	\$5,000.00
Interlake Community Foundation	\$2,500.00
S.W. District Palliative Care	\$3,000.00
Citizens on Patrol	\$ 260.00
South Interlake Seniors Resource Council	\$5,600.00
Rockwood Festival of the Arts	\$ 100.00
Forum for Young Canadians	\$ 400.00
M. Sanche – Youth Councillor Scholarship	\$ 500.00
Canada World Youth Program	\$ 100.00

TOTAL \$20,460.00

CARRIED

T. Cameron 6 month evaluation & wage adjustment

RESOLUTION NO. 414/09: McLean, Corbin

BE IT HEREBY RESOLVED THAT the hourly rate of pay for Tim Cameron, Works & Operations Employee, be increased to \$15.61 effective December 8th, 2009 -

AND FURTHER BE IT RESOLVED THAT the Employee By-law No. 1/07, as amended, be further amended to incorporate the above.

	FOR	AGAINST	ABSTAIN	
CORBIN	X			
BADGER	X			
McLEAN			X	
PLOSZAY	X			
THOMPSON	X			
				CARRIED

2009 Unused Annual Vacation

RESOLUTION NO. 415/09: Badger, Ploszay

BE IT HEREBY RESOLVED THAT pursuant to Section 4/05 (f) i) of Employee By-law No. 1/07, as amended, the following employees are permitted to carry over 2009 unused annual vacation to 2010 with said unused annual vacation being taken as specified below –

Denis Woods, Parks & Arena Manager

- 5 days to be taken by Jan. 31, 2010

Robert Potter, CAO

- 10 days to be taken by Feb. 28, 2010

CARRIED

CAO Employment Contract

RESOLUTION NO. 416/09: Ploszay, Badger

BE IT HEREBY RESOLVED THAT an Employment Contract be entered into with Robert Potter, Chief Administrative Officer, for the five (5) year term 2010 to 2014, inclusive, specifying and setting out the annual salary and the employee benefits, duties and responsibilities, performance standard, conditions and terms of employment

AND FURTHER BE IT RESOLVED THAT the Town Solicitor be authorized to prepare the Employment Contract for consideration and approval of the CAO and Council.

CARRIED

NOTICE OF MOTION

There were no Notice of Motion for consideration of Council

MAYOR & COUNCILLORS DISCUSSION PERIOD

There were no matters for Discussion Period.

ADJOURN 8:30 P.M.

RESOLUTION NO. 416/09: McLean, Corbin

BE IT HEREBY RESOLVED THAT Council do now adjourn.

CARRIED

TOWN OF STONEWALL

MAYOR

CAO