

XIII Minutes of the Regular Meeting of Council of the City of Winkler held Tuesday, July 10<sup>th</sup>, 2012, commencing at 6:30 PM in the Winkler Council Chambers. Present were Mayor Martin Harder, Councillors Henry Siemens, Don Friesen, Ken J. Wiebe, Herb Dick, Marvin Plett, Ron Neisteter, City Manager Dave Burgess and Tracy Friesen

Media: Chris Sumner - CFAM/CKMW  
Allison Friesen - Winkler/Morden Voice  
Steve Sukkau - Winkler Times

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**INVOCATION**

Invoc. 305. Councillor Henry Siemens read a story about leadership lessons we can learn from a cracked pot. He then led in prayer.

**ADOPT AGENDA**

Agenda 306. Marvin Plett, Ron Neisteter:  
BE IT RESOLVED THAT the Agenda for the regular Council meeting of July 10, 2012 be adopted.

CARRIED

June 26 min. 307. Ken J. Wiebe, Henry Siemens:  
BE IT RESOLVED THAT the minutes of the regular Council meeting of June 26, 2012 be adopted as circulated.

CARRIED

**FINANCE**

Accounts 308. Don Friesen, Henry Siemens:  
BE IT RESOLVED THAT accounts payable in the amount of \$677,617.21 as approved by the Finance Committee be approved for payment.

CARRIED

Tax Roll 309. Don Friesen, Henry Siemens:  
BE IT RESOLVED THAT assessment cancellations be approved for the 2012 tax roll as per attached list.

CARRIED

B. Tax 310. Don Friesen, Henry Siemens:  
BE IT RESOLVED THAT 2012 Business Tax Roll assessment reductions be approved as per attached list.

CARRIED

Salary 311. Don Friesen, Henry Siemens:  
BE IT RESOLVED THAT the City of Winkler approve a salary increase for Rick Schroeder, Recreation Maintenance II, from Level 4 Step 2 to Level 4 Step 3, effective June 19, 2012.

CARRIED

312. Don Friesen, Henry Siemens:  
Salary BE IT RESOLVED THAT the City of Winkler approve a salary increase for John Peters, Recreation Maintenance, from Level 3 Step 1 to Level 3 Step 2, effective June 13, 2012.

CARRIED

313. Don Friesen, Ron Neisteter:  
B/L 2049-11 BE IT RESOLVED THAT By-Law No. 2049-11 to establish new water & sewer rates as approve by the Public Utilities Board be read a second time.

CARRIED

314. Ron Neisteter, Herb Dick:  
B/L 2049-11 BE IT RESOLVED THAT By-Law No. 2049-11 be read a third time and finally passed.

CARRIED

#### TRANSPORTATION & UTILITIES

315. Ron Neisteter, Herb Dick:  
Easement BE IT RESOLVED THAT Council approves the easement agreement for Lift Station 8 Force Main with the property owner, Harold Pauls & Skyline Auto Body, at no cost to the City of Winkler in exchange for the provision of a water connection to Skyline Auto Body at no charge within 2014.

CARRIED

316. Marvin Plett, Ken J. Wiebe:  
Tender BE IT RESOLVED THAT Council approve the selection of the tender bid from Borland Construction for \$455,917.50 for the concrete overlay for the identified section of Roblin Blvd East and Embassy Road to be paid for from the Industrial Land Sale Reserve.

CARRIED

Due to favorable budget outcomes, surplus funds were available.

#### HEALTH & WELFARE

317. Herb Dick, Don Friesen:  
Morden Vet. BE IT RESOLVED THAT the Morden Veterinary Services District Board minutes of June 18, 2012 be received as information.

CARRIED

#### PLANNING

318. Ken J. Wiebe, Marvin Plett:  
Plan. Cmte BE IT RESOLVED THAT the Planning Committee minutes for July 5, 2012 be adopted.

CARRIED

319. Ken J. Wiebe, Marvin Plett:  
Subdiv. BE IT RESOLVED THAT Subdivision application No. 4463-12-5851 be approved.

CARRIED

320. Henry Siemens, Ken J. Wiebe:  
Report BE IT RESOLVED THAT the Winkler Building Permit Report to June 30, 2012 be received as information.

CARRIED

It was noted that dwelling unit numbers to the end of June are substantially higher than the total year in 2011.

321. Ken J. Wiebe, Marvin Plett:  
B/L 2073-12 BE IT RESOLVED THAT Zoning By-Law No. 2073-12 be read a first time.

CARRIED

322. Ken J. Wiebe, Marvin Plett:  
Subdiv. BE IT RESOLVED THAT Subdivison Application No. 4463-11-5731 be approved.

CARRIED

### RECREATION & CULTURE

323. Ken J. Wiebe, Marvin Plett:  
Amendment BE IT RESOLVED THAT Subdivision No. 4463-11-5719 for SE ¼ 9-3-4W (785 Boundary Trail) be approved, subject to a Drainage Easement Agreement with the City of Winkler.

CARRIED

Resolution to amend prior Res. #425 to ensure the drainage is maintained.

324. Ken J. Wiebe, Marvin Plett:  
Subdiv. BE IT RESOLVED THAT Subdivision Application No. 4463-12-5837 be approved subject to the signing of the development agreement.

CARRIED

325. Marvin Plett, Ron Neisteter:  
SCRL BE IT RESOLVED THAT the South Central Regional Library financial statements to May 31, 2012 be received as information.

CARRIED

326. Henry Siemens, Ken J. Wiebe:  
Golf Course BE IT RESOLVED THAT the Golf Course Board minutes for June 21, 2012 be received as information.

CARRIED

327. Henry Siemens, Don Friesen:  
Golf Club BE IT RESOLVED THAT the Winkler Golf Club financial statements to May 31, 2012 be received as information.

CARRIED

Surpluses are the result of increased memberships, nice weather and early opening. Drainage problem that was fixed has allowed more tournaments to take place in Winkler.

**DELEGATIONS & HEARINGS**

328. Ron Neisteter, Don Friesen:

Pub. Hearing BE IT RESOLVED THAT the Public Hearing for Conditional Use Application No. 1081-12 be now closed.

CARRIED

329. Ken J. Wiebe, Herb Dick:

App. 1061-12 BE IT RESOLVED THAT Conditional Use Application No. 1081-12 be approved.

CARRIED

Public notice has been circulated as per requirements of The Planning Act. No objectors were present. No objections were received by the Administration Office.

330. Ron Neisteter, Marvin Plett:

Pub. Hearing BE IT RESOLVED THAT the Public Hearing for Conditional Use Application No. 1076-12 be now closed.

CARRIED

Public notice has been circulated as per requirements of The Planning Act. Applicant Evan Toews was present.

- Co-op has agreed to pave the public lane. As snow removal on back lanes is not the City's concern, it is suggested that Co-op have an agreement to pile the snow on a neighboring property and haul it away whenever needed.
- As foot traffic is a major concern of council, suggestion is to have an 8' sidewalk from Roblin Blvd to the north.
- Sidewalk can be charged as a Local Improvement or part of the Conditional Use. Sidewalk costs are also part of development fees.
- By-Law states that 27 trees are needed in this kind of development but the Planning Dept. & Co-op do not feel that is necessary. The drawing showing 11 trees is acceptable.
- The intention for pedestrians is to direct them from the south rather than directly across Main Street. A raised corridor was proposed to direct pedestrians and slow traffic.
- Drainage issues in the back lane were addressed. The catch basin that is there now needs to remain. The City has a drainage easement going across the lot from east to west. Provisions will be made in the Development Agreement that would require the drainage to be addressed.
- The development will be a huge traffic generator and adding another lane to Main Street is a major safety concern for high school kids crossing the street. It was asked that there be a sidewalk for people to walk on public property instead of private property and traffic crossings.
- It was mentioned that by the time the gas bar will be built, there will be half the amount of students attending that high school. The 40 foot sign will draw added business into downtown Winkler that might not have been there before.
- The sidewalk and fencing issues will be addressed by the Planning Dept.

331. Don Friesen, Ken J. Wiebe:  
Pub. Hearing BE IT RESOLVED THAT the public hearing for Conditional Use Application No. 1076-12 be approved subject to amendments.

CARRIED

Amendments:

1. Marvin Plett, Ron Neisteter:

Condition that the property owners will not oppose the construction of an 8 ft. wide concrete sidewalk from Roblin Blvd. to Muirham Ave, by way of a local improvement, at such a time as the City of Winkler initiates the project.

CARRIED

2. Henry Siemens, Marvin Plett:

Back lane be prepared and paved at the cost of the developer to the approval of the City Engineering Department. The City to be responsible for road repair maintenance after a 2 year warranty period.

CARRIED

Recommendations:

- Responsibility of the City to extend the 8' wide sidewalk running from Roblin Blvd to Muirham Ave.
- A barrier needs to be in place to prevent people from walking through the property.
- Clarify back lane questions. Should be similar to back lane on 1<sup>st</sup> Street. Future repairs after the warranty period will be the City's expense and fall on the priority list of back lanes.
- It's the City's responsibility to provide safe options for people to walk and cross the street, even if traffic laws are not always followed.

332. Henry Siemens, Herb Dick:  
App. 1080-12 BE IT RESOLVED THAT Council adjourn the regular Council meeting and convene into Variation Board.

CARRIED

333. Ron Neisteter, Ken J. Wiebe:  
Pub. Hearing BE IT RESOLVED THAT the Public Hearing for Variation Application No. 1080-12 be now closed.

CARRIED

There will be a subdivision going forward and the property will then be put up for public sale as a request for proposal in order to make sure the development meets the interest of the neighbors.

334. Henry Siemens, Marvin Plett:  
App. 1080-12 BE IT RESOLVED THAT Variation Application No. 1080-12 be approved.

CARRIED

Public notice has been circulated as per requirements of The Planning Act. No objectors were present. No objections were received by the Administration Office.

335. Don Friesen, Marvin Plett:

Pub. Hearing BE IT RESOLVED THAT the Public Hearing for Variation Application No. 1077-12 be now closed.

CARRIED

Public notice has been circulated as per requirements of The Planning Act.

Applicant Evan Toews was present

- Sewer relining is preferred over replacing as it is less disturbing and will prevent maintenance issues in the future. This should be done before construction begins. Since it is clay pipe and more fragile, fabric relining would give it added strength. Relining will be a condition of the variation and Co-op will incur the cost.

336. Herb Dick, Ken J. Wiebe:

App. 1077-12 BE IT RESOLVED THAT Variation Application No. 1077-12 be approved on the condition that suitable sleeving or relining of the sewer line be paid for by the developer as agreed to by the Engineering Department and subject to an amendment.

CARRIED

Amendment:

1. Ron Neisteter, Don Friesen:

Minimum 10 foot rear yard setback and not the 0 foot rear yard setback as applied for.

CARRIED

- One way back lane traffic issues will be addressed.
- The Planning Dept. is very opposed to the variation. Having a zero setback is not something that is ever supported.
- Concern is that approval of this would set the standard for other developments to ask for a similar request. There is cause for concern in the future regarding safety & fire protection. Zero setback provides no safety for pedestrian/worker traffic going behind building.
- Co-op's design was intended to include bollards so if people are on the east side of the building, they would be protected from traffic.
- 10 feet would be consistent with what is already there. The variation will be approved with this amendment.

337. Ken J. Wiebe, Marvin Plett:

Pub. Hearing BE IT RESOLVED THAT the Public Hearing for Variation Application No. 1078-12 be now closed.

CARRIED

338. Henry Siemens, Ken J. Wiebe:

App. 1078-12 BE IT RESOLVED THAT Variation Application No. 1078-12 be approved.

CARRIED

Public notice has been circulated as per requirements of The Planning Act. No objectors were present. No objections were received by the Administration Office.

339. Ron Neisteter, Marvin Plett:  
Reconvene BE IT RESOLVED THAT Council adjourn Variation Board and reconvene into regular Council meeting.

CARRIED

**OTHER BUSINESS**

340. Ron Neisteter, Herb Dick:  
CFHB BE IT RESOLVED THAT Council approve the appointment of Henry Siemens to the Community Futures Heartland Board.

CARRIED

**ADJOURN**

341. Ron Neisteter, Marvin Plett:  
Adjourn BE IT RESOLVED THAT this regular meeting of Council be adjourned.  
8:47pm

CARRIED

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Mayor Martin Harder

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City Manager Dave Burgess