

XIII Minutes of the Regular Meeting of Council of the City of Winkler held Tuesday, July 12th, 2011, commencing at 6:30 PM in the Winkler Council Chambers. Present were Mayor Martin Harder, Councillors Marvin Plett, Ron Neisteter, Herb Dick, Henry Siemens, Ken J. Wiebe, Don Friesen, City Manager Dave Burgess, and Tracy Friesen.

Media: Chris Sumner - CFAM/CKMW
Peter Cantelon - Winkler/Morden Voice

INVOCATION

Invoc. 333. Mayor Martin Harder read the story of Shadrach, Meshach and Abednego from the book of Daniel. He emphasized the importance of standing up for what you believe in. He then led in prayer.

ADOPT AGENDA

Agenda 334. Ron Neisteter, Henry Siemens:
BE IT RESOLVED THAT the Agenda for the regular Council meeting of July 12, 2011 be adopted.

CARRIED

June 28 min. 335. Marvin Plett, Ken J. Wiebe:
BE IT RESOLVED THAT the minutes of the regular Council meeting of June 28, 2011 be adopted as circulated.

CARRIED

CORRESPONDENCE

Corres. 336. Received for information.
Letter from Minister Steve Ashton
Letter regarding provincial police funding agreement
- What if we don't hire a CRO? We will receive the money either way and will use it efficiently.

DELEGATIONS & HEARINGS

337. Tomm Penner - Dominion Outdoors: Indoor Shooting Range
- Tomm Penner operates a gun store in the Southland Mall.
- He gets a lot of inquiries about a shooting range and is beginning a feasibility study to open an indoor shooting range in city limits possibly in the industrial park.
- Needs permission to operate a licensed firing range according to city by-law.
- Safety is the first priority. Tomm could not find any reported injuries that have occurred at shooting ranges.
- One option is to have rubber berm traps which are round tires that are fire treated so bullets cannot ignite them.
- Ventilation would be important to prevent led from building up in the air.
- Bullet proof glass between the shooters.

- If approval is received, he will be looking for investors and already has some interested.
- Would this be an above ground building? Yes. Concrete walls or metal skirting inside the building. All sides of the building will be protected.
- Acceptable fire as per RCMP regulations is rim fire (22 rifle) or hand guns under 50 caliber.
- Mayor Harder commented that it is a process and he would need a conditional use permit once a location is found.
- Would there be something with archery as well? It's a possibility. There would be a lot of people in the community who would be interested.
- Mayor Harder commended Tomm on his store and wishes him well. He has no problems with the potential of a shooting range.
- Is verbal approval enough for you to continue? The RCMP doesn't require a written recommendation but he doesn't want to get to a point where the building is ready and then council would not approve.
- Mayor Harder recommended that Tomm provide City Manager Dave Burgess with any feedback and keep council updated on the process.
- Councillor Friesen added that if Tomm would need a letter for the RCMP from council, one could be written up.

338. Ken J. Wiebe, Marvin Plett:

Pub. Hearing BE IT RESOLVED THAT the public hearing for the Subdivision #4463-09-5421 which includes the creation of a new public road be now closed.

CARRIED

339. Ken J. Wiebe, Marvin Plett:

Subdiv 5421 BE IT RESOLVED THAT Council held a public hearing on July 12, 2011 and approves Subdivision #4463-09-5421 at Lots 1 & 2, Block 1, Plan 47444 in SE ¼ 8-3-4W which includes the creation of a new public road.

CARRIED

340. Henry Siemens, Don Friesen:

Var. Board BE IT RESOLVED THAT Council convene into Variation Board.

CARRIED

Kevin Braun was present

- Set up a sun room off of deck and construction was done without a building permit. He is willing to pay a back tax and have this resolved.
- Mayor Harder commented that council is disappointed that it got to this point especially because of the size of the variation.
- Councillor Friesen stated that it puts council in an awkward situation and if this is approved with a slight penalty, he is scared that the next person will build even bigger and there will be a free for all. There are rules in place for a reason
- Kevin realizes that they chose a route that was not correct and understands why the rules are in place. He had talked to his neighbors about any concerns before construction started and there was none.

- Councillor Dick would like to think that this won't be a continual thing in the city where people build without permits.
- Councillor Wiebe appreciates Kevin's honesty.
- Mayor Harder added that council is considering stricter policies in the city to ensure this kind of thing won't happen again. A policy will be established that will penalize the owner and the construction company doing the job. The damage will be determined and the penalties will be much higher than what is asked in this case.
- Councillor Siemens knows that there are other people that build without permits. The 75% variation is very steep and will tie future penalties in if this should happen again. There will be compensation in lieu of taxes and that's something Kevin would not have had to agree to so he thinks that is terrific.
- Councillor Plett knows of 2 or 3 situations where people have had to take their construction down for this reason. It's a bit of a wakeup call for council to have something in place for when this happens. Property tax is the only way we can accomplish a lot of things in the community and it's important everyone pays their fair share.
- Councillor Neisteter is glad this has come to light and that he will pay to have it taken care of.

341. Herb Dick, Don Friesen:

Pub. Hearing BE IT RESOLVED THAT the public hearing for Variation Application No. 1037-11 for 8 Harvest Bay be closed.

CARRIED

342. Ken J. Wiebe, Marvin Plett:

App 1037-11 BE IT RESOLVED THAT Council approve Variation Application No. 1037-11.

CARRIED

Public Notice has been circulated and posted as per The Planning Act requirements. No objections have been received by the Administration Office. No objectors were present.

343. Ron Neisteter, Don Friesen:

Reconvene BE IT RESOLVED THAT Council reconvene into regular Council meeting.

CARRIED

TRANSPORTATION & UTILITIES

344. Herb Dick, Marvin Plett:

PVWC BE IT RESOLVED the minutes of the Pembina Valley Water Cooperative Inc. meeting of June 24, 2011 be received as information.

CARRIED

PVWC will continue to put fluoride into the water.

Councillor Dick commented that 17 municipalities were in attendance at the board meeting. Gretna and Winkler voted against using fluoride.

345. Don Friesen, Marvin Plett:

Trans Cmte BE IT RESOLVED THAT the Transportation Committee minutes of July 6, 2011 be adopted.

CARRIED

- What is the position of the Transportation Committee with regards to the railway spur? Meeting has been requested with CPR to come to a final resolution. If the city would have been paying an annual fee it would have come to \$175,000.
- Is the current user not interested in partnering with the City for the repair? City Manager Dave Burgess met with Ron Funk of Acrylon and concluded the worst area is on their property. The ties have disintegrated and are almost nonexistent. Acrylon would like to keep the railway spur because it is beneficial to them.
- Councillor Dick received a letter from CPR regarding location of the new Co-Op building, has that been talked about? Yes and the decision was passed at a previous council meeting to put LED lights in.
- Northlands Parkway Intersection - is that a budgeted number? GVSD has been informed that it is their issue.

346. Don Friesen, Marvin Plett:

PW Budget WHEREAS, under Section 169 (2) of The Municipal Act, council may authorize the expenditure of an amount provided for in an operating or capital budget for a purpose other than is set out in the budget if the expenditure does not affect the total of the amounts estimated in the operating and capital budget;

AND WHEREAS, spring weather conditions have caused many large frost boils and considerable damage to high traffic streets;

AND WHEREAS, for the overall safety of the public, repairs are deemed necessary immediately;

AND WHEREAS, the budget changes will not affect the total amounts estimated;

THEREFORE, BE IT RESOLVED THAT the following budget changes be approved:

Delete:

Asphalt appropriation to Reserve	-	\$200,000
Walkways appropriation to Reserve	-	\$115,180
Drainage appropriation to Reserve	-	\$150,000
Lighting appropriation to Reserve	-	<u>\$50,000</u>
Total		\$515,180

Add:

Public Works Capital Budget		
Asphalt and patching	-	\$210,180
Drainage	-	\$285,000

Pathway lighting	-	<u>\$20,000</u>
Total	-	\$515,180

CARRIED

This is within budgetary rules because the total amounts have stayed the same. If we did not do the patching this year, the cost would be up to 5 times more next year because of further damage that would be done.

347. Don Friesen, Marvin Plett:

Truck Routes BE IT RESOLVED THAT Council approves the proposed City of Winkler Truck Routes of June 28, 2011 which includes Highway 32, Highway 14, Eastview Drive, 15th Street, Main Street North, Pembina Avenue, Cargill Road, George Avenue, Pacific Street, Canada Street, Market Street, Manitoba Road, Monarch Drive, Airport Drive, Badger Avenue, Hespler Avenue, Buffalo Street and 15th Street North.

CARRIED

- Should we have a conversation with MPIC and get their input first? The city did run it by provincial highways and the balance of these streets are destination only so it won't be cluttered.
- If truckers are coming to a city they are not familiar with they can see the route on their GPS.
- Are we going to send notice to the trucking companies? Yes.
- Semi driver testing at the arena is not a good idea because of the asphalt and they will be contacted.
- Councillor Siemens is not comfortable with where the driver testing is going. The testing helps the Recreation budget by about \$10,000. Are we asking these driver testing companies to leave? They can use the gravel parking lot instead of the asphalt which is very soft and creates damage. The city does not want to lose the driver testing business and will work out something for them.

348. Don Friesen, Marvin Plett:

Border Exc. BE IT RESOLVED THAT Council approves the final progressive payment of \$123,330.12 plus \$6,166.51 GST to Border Excavating for the Roblin Boulevard East - Road Base Construction.

CARRIED

The road is coming off of Eastview Dr. and needed to be put in place to get to Embassy. It is within budget but is higher than the tendered amount in order to finish the extra work that needed to be done.

HEALTH & WELFARE

349. Herb Dick, Don Friesen:

MVSD BE IT RESOLVED THAT the Morden Veterinary Services District Board minutes of June 20, 2011 be received as information.

CARRIED

- Councillor Dick commented on the discussion about the cost of the audit. The total budget of the organization is around \$60,000 and they paid over \$3000 for an audit.

- Is it costing more because of PSAB? No.
- Mayor Harder commented that in a corporation, if a shareholder demands an audit you are forced to have an audit. If the board agrees that you will do a review, then a review is acceptable. He is not sure if that is the case here because it is municipal but City Manager Dave Burgess will check.
- David Hamilton is the head vet and he is happy to work and things seem to run smoothly. Desirable area for vets to come and work because they have a large practice. They have never had an increase in government funding and are doing well there.

350. Marvin Plett, Ken J. Wiebe:

S&H BE IT RESOLVED THAT the minutes of the Safety and Health Committee meeting of June 15, 2011 be received as information.

CARRIED

PLANNING

351. Ken J. Wiebe, Marvin Plett:

Plan. Cmte BE IT RESOLVED THAT the Planning Committee minutes of July 7, 2011 be adopted.

CARRIED

The City will work at making the public aware of by-laws and things they need permits for.

352. Ron Neisteter, Henry Siemens:

B/L 2040-11 BE IT RESOLVED THAT the municipal road opening By-Law No. 2040-11 be read a second time.

CARRIED

353. Marvin Plett, Ken J. Wiebe:

B/L 2040-11 BE IT RESOLVED THAT the municipal road opening By-Law No. 2040-11 be read a third and final time.

CARRIED

354. Henry Siemens, Ken J. Wiebe:

Report BE IT RESOLVED THAT the 2011 Building Permit Report of January 1, 2011 to June 30, 2011 be received as information.

CARRIED

Councillor Siemens commented that it is nice to see residential singles coming in. Commercial and Industrial are up significantly and more will be coming this year.

355. Marvin Plett, Ken J. Wiebe:

B/L 2042-11 BE IT RESOLVED THAT By-Law 2042-11 be read a second time.

CARRIED

356. Don Friesen, Herb Dick:
B/L 2042-11 BE IT RESOLVED THAT By-Law 2042-11 be read a third and final time.
CARRIED

357. Ken J. Wiebe, Marvin Plett:
Offer BE IT RESOLVED THAT Council approves the option to purchase offer from Jake Krahn for the industrial land Lot 3, Block 1, Plan 43825 for the sum of \$33,000.

CARRIED

- East side of Embassy road backing up onto V-Bine property. Interest level has been very heavy and people are stepping forward. If somebody else comes forward, Mr. Krahn has 2 weeks to exercise his option.
- His son has a business operating in the Incubator Mall and his contract is expiring soon. Mr. Krahn has a cleaning business himself so there will be 2 operations out of that property.
- Any thoughts to expanding the Incubator Mall? No but there is an interest in purchasing that lot and possibly using it for retail.
- Did the city give that land to WSED or sell it? The city still owns the title. WSED is an operational partner not an asset partner.

RECREATION & CULTURE

358. Henry Siemens, Marvin Plett:
Rec. Cmte BE IT RESOLVED THAT Recreation Committee minutes of June 24, 2011 be adopted.

CARRIED

As per popular demand, 1 week aquatic sessions were added and they have the lowest numbers so that will be re-evaluated for next year.

FINANCE

359. Don Friesen, Henry Siemens:
Accounts BE IT RESOLVED THAT accounts payable in the amount of \$528,717.08 as approved by the Finance Committee be approved for payment.

CARRIED

360. Henry Siemens, Marvin Plett:
Grant BE IT RESOLVED THAT the City of Winkler approve a one-time grant to Winkler Minor Ball Association for the amount of \$150.

CARRIED

361. Henry Siemens, Don Friesen:
MB Agri. BE IT RESOLVED THAT the City of Winkler will contribute \$250.00 to the Manitoba Agricultural Hall of Fame.

CARRIED

- Manitoba Agricultural Hall of Fame recognizes agricultural contributions by individuals across Manitoba. We have had several inductees in the past. When we originally started to support this 3 years ago, it was decided that

Winkler's success was largely contributed by agricultural entrepreneurs. Winkler is the only city on the list of contributors; most surrounding municipalities are not contributing.

362. Henry Siemens, Don Friesen:
Hire BE IT RESOLVED THAT the City of Winkler hire the following seasonal employees:

Brenton Neufeld	Public Works	July 4/11	Category I (+ 1 yr)
Jordan Rempel	Public Works	July 4/11	Category I

CARRIED

363. Don Friesen, Henry Siemens:
Hire BE IT RESOLVED THAT the City of Winkler hire seasonal employee David Letkeman for Sewer Pit Inspections, Level 2 Step 5 (includes Vehicle Allowance) effective June 30, 2011.

CARRIED

- Inspection of commercial and industrial pits because there are problems with them not being cleaned out properly and it plugs sewer lines.
- Do businesses get fined? Yes.

364. Henry Siemens, Don Friesen:
Cancel BE IT RESOLVED THAT we approve tax cancellations to the 2011 tax roll as per list attached.

CARRIED

OTHER BUSINESS

365. Herb Dick, Ron Neisteter:
Terry Fox BE IT RESOLVED THAT the City of Winkler approves raising the Terry Fox Cancer Research flag for the month of September, 2011.

CARRIED

Received notification from Terry Fox Cancer Research Fund asking if the city would be willing to fly the flag at City Hall in recognition of cancer awareness.

366. Ron Neisteter, Herb Dick:
Donation BE IT RESOLVED THAT the City of Winkler donate all the remaining copies of the book "Living Between Worlds - A History of Winkler" to the Winkler Historical Society with the condition that the City may obtain copies for the purpose of promotional gifts at no charge.

CARRIED

367. Marvin Plett, Henry Siemens:
SCRL BE IT RESOLVED THAT the South Central Regional Library Board minutes of June 23, 2011 be received as information.

CARRIED

Letter 368. Henry Siemens, Don Friesen:
BE IT RESOLVED THAT the City of Winkler approves providing a letter of support to John and Elizabeth Neufeld for the purchase and operation of Boundary Trails Taxi.

CARRIED

QUESTIONS FROM THE MEDIA/PUBLIC

Chris Sumner asked if Councillor Siemens has an indication of when he will hear back regarding the 2014 winter games. At the end of this calendar year, they have an interview and selection process.

Peter Cantelon asked if the truck routes were approved and official? Yes. Do they impact parking of trucks? The existing by-law restricts trucks from parking in residential streets. Enforcement of truck routes is police responsibility? Yes.

ADJOURN

Adjourn 8:13pm 369. Ron Neisteter, Ken J. Wiebe:
BE IT RESOLVED THAT this regular meeting of Council be adjourned.

CARRIED

Mayor Martin Harder

City Manager Dave Burgess