

XV Minutes of the Regular Meeting of Council of the City of Winkler held Tuesday, July 23th, 2013 commencing at 6:30 PM in the Winkler Council Chambers. Present were Mayor Martin Harder, Councillors Henry Siemens, Ron Neisteter, Ken J. Wiebe, Herb Dick, Marvin Plett, Assistant Administrator Barb Dyck and Tracy Friesen.

Media: Steve Sukkau - Winkler Times

INVOCATION

Invoc. 353. Councillor Marvin Plett read a motivational story about positive thinking. Life is about choices, we can choose to be in a good mood or a bad mood. He then led in prayer.

ADOPT AGENDA

Agenda 354. Henry Siemens, Herb Dick:
BE IT RESOLVED THAT the Agenda for the regular Council meeting of July 23, 2013 be adopted.

CARRIED

July 9 Min. 355. Ken J. Wiebe, Marvin Plett:
BE IT RESOLVED THAT the minutes of the regular Council meeting of July 9, 2013 be adopted as circulated.

CARRIED

CORRESPONDENCE

Corres. 356. Received for Information
A Proclamation for Muscular Dystrophy Awareness Month was read
Minister of Local Government - Federal Gas Tax Funding
Salem Foundation - Thank you letter
AMM - Cities Caucus
Boundary Trails Heritage Region

FINANCE

Financials 357. Marvin Plett, Henry Siemens:
BE IT RESOLVED THAT the interim financial statements up to June 30, 2013 be received.

CARRIED

No areas of concern, everything is on track. Henry thanked Barb for the notes that were left on specific sections.

Accounts 358. Marvin Plett, Henry Siemens:
BE IT RESOLVED THAT accounts payable in the amount of \$833,423.36 as approved by the Finance Committee be approved for payment.

CARRIED

359. Ken J. Wiebe, Marvin Plett:
Offer BE IT RESOLVED THAT we accept the Offer to Purchase Lot 10 Block 4 Plan 43825, 545 Roblin Boulevard East, from 5188645 Manitoba Ltd./Innovative Doors 2006 Inc. for the amount of \$64,592.00.

CARRIED

360. Ron Neisteter, Herb Dick:
Hire BE IT RESOLVED THAT the City of Winkler hire Ben Penner as Public Works Maintenance I effective July 22, 2013 at salary Level 3 Step 1.

CARRIED

361. Marvin Plett, Henry Siemens:
Hire BE IT RESOLVED THAT the City of Winkler hire Olga Kuhn as Custodian for the PW Enns Centennial Concert Hall & Library effective July 8, 2013 at salary Level 1 Step 1.

CARRIED

362. Ron Neisteter, Ken J. Wiebe:
Arrears BE IT RESOLVED THAT water & sewer arrears be added to the 2013 tax roll as per attached list.

CARRIED

363. Ron Neisteter, Marvin Plett:
Hangar Fees BE IT RESOLVED THAT we approve airport hangar fees of \$200/year as set out in the City of Winkler Policy, and that such fee be charged to all owners of hangars at the Winkler airport;

AND FURTHER BE IT RESOLVED THAT we approve a \$100/year tie down fee, and that 50% of the tie down fees be paid to the Winkler Flying Club.

CARRIED

The tie down fee is for planes that are anchored and don't have hangars.

POLICE & FIRE

364. Henry Siemens, Ron Neisteter:
Police Report BE IT RESOLVED THAT the Winkler Police Service report for Second Quarter 2013 be received for information.

CARRIED

Demerits will be issued for cell phone use in the near future.

Mental Health Act arrests have doubled from this time last year. The negative part is that it plays on overtime and man power issues. Rick is working with the MACP to shorten the waiting times.

PLANNING

365. Ken J. Wiebe, Marvin Plett:
B/L 2102-13 BE IT RESOLVED THAT By-Law No. 2102-13 to close a portion of public reserve be read a second time.

CARRIED

366. Henry Siemens, Ron Neisteter:
B/L 2102-13 BE IT RESOLVED THAT By-Law No. 2102-13 be read a third and final time.
CARRIED

367. Ken J. Wiebe, Marvin Plett:
B/L 2103-13 BE IT RESOLVED THAT By-Law No. 2103-13, to rezone Lot 11 Block 3, Plan 49913 from "RS" Residential Single-Family Zone to "RM" Residential Multiple-Family Zone be read a first time and processed under The Planning Act.
CARRIED

368. Ken J. Wiebe, Marvin Plett:
Subdiv. BE IT RESOLVED THAT the proposed Subdivision File #4463-13-7127 be approved.
CARRIED

369. Ken J. Wiebe, Henry Siemens:
Gemstone BE IT RESOLVED THAT the following proposal by 5293449 Manitoba Ltd. (Gemstone Estates - SE 8-3-4) be accepted and added as an addendum to Development Agreement dated August 30, 2011:

- In lieu of green space fees for the commercial area of 3.24 acres at \$17,000/acre - \$55,080, the developer will assume all costs for an 8' concrete sidewalk along Gemstone Drive from 15th Street to Opal St;
- In compensation for the 1.24 acre waterline right of way on the west side of the development, the developer will dedicate 25 ft. of property along the west side of 15th St. from Gemstone Drive to Highway 14 for green space to allow for a sidewalk and trees;
- The developer is responsible to supply and place bedding sand, landscape fill and topsoil to bury pipe on the north side of Gemstone Drive.

CARRIED

DELEGATIONS & PUBLIC HEARINGS

370. Henry Siemens, Ken J. Wiebe:
Pub. Hearing BE IT RESOLVED THAT the Public Hearing for Re-zoning By-Law No. 2100-13 be adjourned to August 13, 2013, 7:00pm

CARRIED

Applicant Frank Klassen was present

- Proposal is for mixed use with residential and commercial areas.
- The east side would be commercial – office space, firms, small coffee shop, etc. The idea would be convenience for residents in the area.
- 12 suites per building, 50% of units have a garage. Suite sizes range from 750-1500 sq. ft.
- Hoping to build upscale condos and to incorporate elevators in at least 2 buildings.
- Positioning of the buildings is for sunlight, north units would get the east/west sun so they are never shaded.
- Is a bit dense but would be within walking distances from a lot of desirable amenities. Parking is a bit tight, 140 parking spaces are required and the proposal has 170 including garages.
- Goal is to have a variety of ages.

- Overflow parking could likely use the commercial area when businesses are closed.

Council:

- Any intention to put an internal sidewalk to connect to the school? Have talked to the Planning Dept.
- Would there be restrictions so the garages couldn't be used for storage? Yes we would have to restrict that.

Dorothy Derksen

- Concerned about the congestion of the area. 96 units and one small play area.

Tina Heide

- Expressed concern about children crossing at 15th St to get to the nearest park.

Mayor Harder commented that the crosswalk issue has been addressed with the Police Dept. and it's an education for pedestrian and vehicles. The motion that will be made today is for re-zoning. There's a long road ahead before the development will be complete and a Development Agreement will be put in place, at which time the public will have further input.

Councillor Neisteter stated that as Roblin Blvd and Grandeur Ave are becoming more populous, there may have to be lights and other crossing opportunities. Those two streets are designed as collector streets.

Ron Penner

- He objects to the condo development. The main reason being the volume of people in one small area and the added traffic this proposal would create. He would prefer the size of the buildings be reduced to single storey units and have owner occupied suites.
- Clarification was given regarding a Condo Corp. manager to maintain the grounds.

Reg Derksen

- The proposal will have too many living units with too many people and could become one of the busiest areas in Winkler. It would change the dynamic and create more activity.
- Concerned about the traffic and parking situation with the units being very close together.
- He expressed his feeling of being misled on the surrounding area when he purchased the lot 5-6 years ago.
- Frank responded that the units are 40 feet apart and 123.6 ft. between buildings - the size of the residential lot.

Pete Redekop

- Agrees that the proposal is too congested. With the new school coming soon and all the new housing, traffic will worsen. He is content with the commercial area but would prefer the buildings to be single storey.

Mayor Harder suggested a 4 way stop on 15th St to help with safety. Council recognizes that more traffic is coming down Roblin and Grandeur. The decision to be made today is on the re-zoning of the area, not this specific proposal.

Dorothy Derksen

- Asked if the developer has commitments for the commercial buildings. Frank has a commitment for 1 building and has received a lot of calls about another unit.
- It was explained that the entry way to the commercial area would be from 15th Street.

Ron Penner

- The question was raised on how the developer would keep large businesses from setting up there. The units are divided up into 800 or 1200 sq. ft units. The footprint is determined so a business couldn't come in and add to the building. He is more interested in smaller businesses that could serve the community.

Councillor Plett commented that those details would be worked out in the next stages and in the development agreement.

Jennifer Montgomery

- Expressed her feelings of disappointment with the information they were given when they purchased their lot regarding the surrounding area.
- There were no written agreements but were told the area would have a nice feel for people coming into Winkler.
- Concerned that the area will be compromised due to the density of the proposal. There is often no regard for speed limits on 15th St or whether or not there's a flag by the crosswalk.

Mayor Harder stated that one of the regulations from the Province is forcing communities to have 20% of residential areas to be designated as entry level/affordable housing and a recap of the area west of 15th Street shows 20%. That particular area is not over inundated with sub-standard homes. Council wants to hear opinions and would like citizens to be proud of the area.

Reg Derksen

- Is opposed to the re-zoning application. It was asked if a re-zoning application is automatically approved when requested. No, there is always a public hearing.

Mayor Harder added that the value of this property is not sustainable with single family dwellings.

Dorothy Derksen

- The residents bought their lots in good faith and are hoping the integrity of the promise is kept.

Frank stated that he had asked the previous owners of the area if there were any agreements made to this land.

It was mentioned that council members who are also realtor's are careful not to participate in discussion where they have an interest.

Councillor Dick added that a development agreement is always in place with the developer. He has a hard time disagreeing with the statements that were heard and is disappointed with the feelings of property owners being misled when they purchased lots.

Reg Derksen

- Commented that single family dwellings should be built in the area that is already zoned RS and allow the developer to develop the commercial section so there would be a buffer.

It was mentioned that the depth of the current RS zone is 225 x 500 ft.

Suggested to leave the public hearing open to give opportunity to discuss other possibilities for the area and see if an alternate proposal could be brought forward at the next council meeting.

371. Marvin Plett, Henry Siemens:
Pub. Hearing BE IT RESOLVED THAT the public hearing for proposed Subdivision File #4463-13-7104 be closed.

CARRIED

372. Ken J. Wiebe, Marvin Plett:
Subdiv. BE IT RESOLVED THAT the proposed Subdivision File #4463-13-7104 be approved subject to a Development Agreement.

CARRIED

373. Henry Siemens, Ken J. Wiebe:
Convene BE IT RESOLVED THAT Council adjourn the regular Council meeting and convene into Variation Board.

CARRIED

374. Herb Dick, Ken J. Wiebe:
Pub. Hearing BE IT RESOLVED THAT Public Hearing for Variation Application No. 1125-13 be closed.

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.

375. Henry Siemens, Ken J. Wiebe:
App 1125-13 BE IT RESOLVED THAT Variation Application No. 1125-13 be approved.

CARRIED

376. Henry Siemens, Herb Dick:
Pub. Hearing BE IT RESOLVED THAT Public Hearing for Variation Application No. 1126-13
be closed.

CARRIED

377. Ken J. Wiebe, Marvin Plett:
App 1126-13 BE IT RESOLVED THAT Variation Application No. 1126-13 be approved.

CARRIED

378. Henry Siemens, Ron Neisteter:
Reconvene BE IT RESOLVED THAT Council adjourn the Variation Board and reconvene
into regular Council Meeting.

CARRIED

ADDITIONS

379. Marvin Plett, Ken J. Wiebe:
Dev. Agree. WHEREAS, a Development Agreement is required as a condition of Subdivision
File No. 4463-13-7100;

THEREFORE, BE IT RESOLVED THAT the Development Agreement between
Triple E Canada Ltd. and the City of Winkler for part of NE 34-2-4W be
approved.

CARRIED

380. Marvin Plett, Ken J. Wiebe:
Walkways WHEREAS tenders to construct concrete walkways were received as follows:

	<u>Concrete Edge</u>	<u>Nelson River Const.</u>
3 rd Street South/Cargill Rd -	\$129,134.75	\$218,439.50
Northlands/Southview Dr. -	\$327,070.25	\$541,959.50
Total -	\$456,205.00	\$760,399.00

THEREFORE, BE IT RESOLVED THAT the tender be awarded to Concrete Edge
for the low bid of \$456,205.00 (including PST).

CARRIED

There was one other but it was withdrawn. Budget is \$340,000 after input from
developers and \$50,000 in grants. Project will be \$1000 over budget.

QUESTIONS FROM THE MEDIA

Steve Sukkau asked if Council was expecting a reaction from the public
regarding the re-zoning. Yes, calls and submissions about the development had
already been received. Does Council have any alternate ideas for the
development? The developer has 3 weeks to come up with alternate suggestions.

ADJOURN

381. Herb Dick, Ken J. Wiebe:

Adjourn
8:20pm

BE IT RESOLVED THAT this meeting of Council be adjourned.

CARRIED

Mayor Martin Harder

Assistant Administrator Barb Dyck