

III Minutes of the Regular Meeting of Council of the City of Winkler held Tuesday, February 11th, 2014 commencing at 6:30 P.M. in the Winkler Council Chambers. Present were Mayor Martin Harder, Councillors Ron Neisteter, Marvin Plett, Henry Siemens, Herb Dick, Don Friesen, Ken J. Wiebe, City Manager Dave Burgess and Tracy Friesen.

Media: Steve Sukkau - Winkler Times
Cori Bezan - Winkler/Morden Voice

INVOCATION

Invoc. 59. Councillor Ken J. Wiebe read a story called "Accepting our Flat Sides," learning to work together with various personalities and characteristics. He then led in prayer.

ADOPT AGENDA

Agenda 60. Herb Dick, Ken J. Wiebe:
BE IT RESOLVED THAT the Agenda for the regular Council meeting of February 11, 2014 be adopted.

CARRIED

Jan. 28 min. 61. Marvin Plett, Ron Neisteter:
BE IT RESOLVED THAT the minutes of the regular Council meeting of January 28, 2014 be adopted.

CARRIED

CORRESPONDENCE

Corres. 62. Received for Information.
Boundary Trails Health Centre Foundation Golf Tournament

FINANCE

Accounts 63. Marvin Plett, Henry Siemens:
BE IT RESOLVED THAT accounts payable in the amount of \$344,276.30 as approved by the Finance Committee be approved for payment.

CARRIED

A/R 64. Ken J. Wiebe, Ron Neisteter:
BE IT RESOLVED THAT the following Accounts Receivable be added to the tax roll:

<u>Civic Address</u>	<u>Invoice #</u>	<u>Roll #</u>	<u>Amount</u>	<u>Description</u>
620 N. Railway Ave	10779	205300	\$450.00	Mowing

CARRIED

MB Hydro 65. Don Friesen, Marvin Plett:
BE IT RESOLVED THAT Council authorizes Manitoba Hydro to install cobra style street lighting on Summerfield Drive, Merlin Drive, Oriole Way and

Warbler Way resulting in an increase of \$2,305.80 plus applicable taxes on the City's annual street light account.

CARRIED

66. Marvin Plett, Henry Siemens:
Yearend BE IT RESOLVED THAT the preliminary yearend financial statements be received for information.

CARRIED

67. Ken J. Wiebe, Henry Siemens:
Bethel Park BE IT RESOLVED THAT surplus funds from Bethel Heritage Park project in the amount of \$9,129.72 be transferred to the General Reserve Fund, specifically for any residual Bethel Heritage Park capital requirements.

CARRIED

68. Marvin Plett, Ron Neisteter:
B/L 2118-14 BE IT RESOLVED THAT By-Law No. 2118-14, being a By-Law to provide for payment of Indemnities & expenses to members of Council be read a first time.

CARRIED

69. Henry Siemens, Don Friesen:
Planning BE IT RESOLVED THAT minutes of the 2014 City of Winkler Planning Session for February 6 - 8th, 2014 be adopted as circulated.

CARRIED

70. Ken J. Wiebe, Henry Siemens:
Grant BE IT RESOLVED THAT we approve a grant of \$250,000 in each of the years 2014 and 2015, for a total overall contribution of \$500,000, to Buhler Active Living Centre Inc.;

AND FURTHER BE IT RESOLVED THAT all of such contribution be designated to defray the cost of the Main Floor Senior Centre and second floor Supportive Care Units.

CARRIED

The minutes should state "subject to financing" instead of "ACU approval."

POLICE & FIRE

71. Ken J. Wiebe, Henry Siemens:
Fire Report BE IT RESOLVED THAT the Winkler Fire Department January 2014 Fire Report be received for information.

CARRIED

TRANSPORTATION & UTILITIES

72. Ron Neisteter, Don Friesen:
B/L 2117-14 BE IT RESOLVED THAT By-Law No. 2117-14 be read a second time.

CARRIED

73. Henry Siemens, Ron Neisteter:
B/L 2117-14 BE IT RESOLVED THAT By-Law No. 2117-14 be read a third and final time.
CARRIED

PLANNING

74. Henry Siemens, Ken J. Wiebe:
Permit BE IT RESOLVED THAT the 2014 Building Permit Report to January 31st be received for information.
CARRIED

75. Ken J. Wiebe, Henry Siemens:
Subdiv. BE IT RESOLVED THAT Proposed Subdivision File No. 4463-13-7176 be approved.
CARRIED

RECREATION & CULTURE

76. Don Friesen, Herb Dick:
Golf Course BE IT RESOLVED THAT the Golf Course Board Minutes of January 24, 2014 be received for information.
CARRIED

77. Marvin Plett, Ron Neisteter:
Library BE IT RESOLVED THAT the December 2013 Library Financials be received for information.
CARRIED

DELEGATIONS & PUBLIC HEARINGS

Councillor Don Friesen declared an interest and left the meeting.

78. Ron Neisteter, Marvin Plett:
Pub. Hearing BE IT RESOLVED THAT The Public Hearing for Rezoning By-Law 2116-13 be closed.
CARRIED

Public Notice was circulated as per requirements of The Planning Act. One objection letter was received by the Administration Office.

Applicant John Krahn was present

- 24 unit proposed development, age restricted to 50+
- 3.17 acres of land
- All units are single storey with garages and parking in front.
- 1200 sq. ft common room and common garden area
- Prefers planting evergreens around the property as opposed to fences

Council:

- It was asked what the height of the evergreens would be and how close together. Around 4 feet high, 10-12 feet apart.
- It was asked if there would be room for added sunrooms if requested. Some backyards are 25-26 feet; minimum is 20 feet in the back.

Tim Penner

- Asked how the age restriction would be enforced. Through the condo by-laws.

Jake Driedger

- Are these condos single level, not bi-level? Yes, they are single level.
- What price will they be selling for? Entry to mid-level pricing.
- The units are owned by the Condo Corp? Owners are buying condo titles and a percentage of the common area.
- Are the grounds being commonly taken care of? Yes.

Tim Penner

- What is the width of the through road? 25 feet.

Lois Hildebrand

- Did you consider not having a through road? A through road will have better drainage and access.
- Did you consider the Main Street properties for individual lots? No, the land is deep and difficult to use that space.
- Have you determined which yard the large trees on the north are on? Not yet.
- If a tree line is half on one property and half on another, who determines? Not a city issue, it's a neighbor issue.

Nina Sawatzky

- Would prefer a fence instead of trees because her garden is by the edge of the property.

Wayne Peters

- Commented that he appreciates the curve in the road to slow down traffic and the fact that it is a one storey development.
- Would prefer a fence if it is a comparable price to trees.
- Will there be street parking? There should be adequate parking in garages and driveways, other than the odd gathering.

City Manager Dave Burgess read a letter of support from 268 3rd St S, requesting the developers construct a suitable fence along their property line and consult with them if they wish to remove any mature trees along the property line. Also read a letter of opposition from Cindy Reimer who would like the area to remain single family dwellings.

Jake Driedger

- Asking that council address the fence/tree issue. Would prefer a fence around his yard because of pets.
- Feels that parking will be an issue
- Asked Council to address the street repair issues on Main St.

Dave Burgess commented that heavy traffic is also due to Hwy 32 because it funnels a lot of traffic onto those streets, which is an ongoing provincial issue.

Fredy Neufeld

- Does the condo board approve the sale of a condo? Generally not, purchasers have to meet the criteria. The developer monitors the initial sales but after that people have to respect the condo by-laws.

Lois Hildebrand

- Guidelines indicate that the minimum rear yard setback is 25 feet but some are 20. It's a guideline, not a policy. 25 feet is what is recommended, same as the height guidelines.
- How big is the patio that will be constructed in the back? 10 feet out.

Tim Penner

- How high can you build a fence? 6 feet.

Dave Burgess

- Commented that 3 people have expressed that a fence is preferable and also to keep the existing trees. Suggested that the developer could fence the smaller treed areas and leave the bigger trees as is. John Krahn prefers to plant trees but will build a fence if necessary.

Ron Neisteter

- Suggested a fence with some trees on the inside of the fence.
- If there is a 20 foot backyard, planting trees 2 feet from the property line could block most of the backyard once they grow bigger.

Mayor Harder

- Suggests a trunk tree rather than an evergreen tree.

Lois Hildebrand

- Is there a walkway planned? The City would not require a walkway for this type of development, similar to a crescent or a cul de sac.

Tim Penner

- Snow clearing is commonly taken care of? Yes, a contractor would be hired to do grounds maintenance.

79. Ken J. Wiebe, Herb Dick:
B/L 2116-13 BE IT RESOLVED THAT Rezoning By-Law 2116-13 be given Second Reading.
CARRIED

Council:

- Councillor Dick thanked John for addressing the concerns that people had and coming up with a plan that is single storey and has curb appeal.

- Councillor Siemens appreciates the fact that the street view from Main & 3rd St is consistent. Strongly suggests the developer build fences instead of planting trees as that is the preference of most neighbors.

80. Ron Neisteter, Henry Siemens:
 B/L 2116-13 BE IT RESOLVED THAT Rezoning By-Law 2116-13 be given Third & Final Reading and approved subject to Development Agreement.
 CARRIED

81. Henry Siemens, Herb Dick:
 Pub. Hearing BE IT RESOLVED THAT the Public Hearing for Conditional Use Application No. 1148-14 be closed.
 CARRIED

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

Applicant John Krahn

- The Planning Dept suggested putting a new sidewalk in front of the development but he is opposed to that. If a new sidewalk is required, he proposed that the City be responsible.

Tim Penner

- From the drawings it looks like the new development would be closer to the street than the existing houses? No, it wouldn't be allowed. There used to be a By-Law that stated there needed to be a 35 foot setback but it is now 25 feet.

82. Marvin Plett, Ken J. Wiebe:
 App 1148-14 BE IT RESOLVED THAT Conditional Use Application No. 1148-14 be approved subject to a Development Agreement.
 CARRIED

QUESTIONS FROM THE MEDIA/PUBLIC

Steve Sukkau asked if 3rd reading for the re-zoning was approved? Yes, no opposition was present at the hearing so the development can go ahead.

ADJOURN

83. Ron Neisteter, Don Friesen:
 Adjourn BE IT RESOLVED THAT this meeting of Council be adjourned.
 7:45pm CARRIED

Mayor Martin Harder

City Manager Dave Burgess