

VIII Minutes of the Regular Meeting of Council of the City of Winkler held Tuesday, April 24th, 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, Police Chief Rick Hiebert and Tracy Friesen

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

INVOCATION

Invoc. 167. Councillor Herb Dick and his wife often visit Oak Hills Church in San Antonio with Pastor Max Lucado. He read a passage from his book talking about unity and love. He then led in prayer.

ADOPT AGENDA

Agenda 168. Henry Siemens, Ron Neisteter:
BE IT RESOLVED THAT the Agenda for the regular Council meeting of April 24, 2012 be adopted.

CARRIED

Apr 10 min. 169. Ken J. Wiebe, Marvin Plett:
BE IT RESOLVED THAT the minutes of the regular Council meeting of April 10, 2011 be adopted as circulated.

CARRIED

FINANCE

Accounts 170. Don Friesen, Henry Siemens:
BE IT RESOLVED THAT accounts payable in the amount of \$663,201.00 as approved by the Finance Committee as approved for payment.

CARRIED

Financials 171. Don Friesen, Henry Siemens:
BE IT RESOLVED THAT the internal financial statements to March 31, 2012 be adopted.

CARRIED

It was noted that YTD revenue is up and snow removal expenditures are down.

Hire 172. Don Friesen, Henry Siemens:
BE IT RESOLVED THAT seasonal employees be hired as follows:

Steve Warmes	Utilities	April 10/12	Category II
Kevin Wall	Public Works	April 3/12	Category III
Kevin Neufeld	Public Works	April 10/12	Category III

CARRIED

Arrears 173. Don Friesen, Henry Siemens:
BE IT RESOLVED THAT water & sewer arrears be added to the 2012 tax roll as per attached list.

CARRIED

BIA 174. Don Friesen, Ken J. Wiebe:
BE IT RESOLVED THAT the minutes of the Business Improvement Area Committee meeting of February 10, 2012 be received as information.

CARRIED

B/L 2066-12 175. Don Friesen, Henry Siemens:
BE IT RESOLVED THAT By-Law No. 2066-12 providing for the 2012 Financial Plan be read a third and final time.

CARRIED

Hire 176. Don Friesen, Ron Neisteter:
BE IT RESOLVED THAT Council approves the hiring of David Wallace to the position of Urban Forrester effective May 1, 2012 at Level 5 Step 4.

CARRIED

POLICE & FIRE

Police Cmte 177. Ron Neisteter, Henry Siemens:
BE IT RESOLVED THAT the Police Committee minutes for April 17, 2012 be approved.

CARRIED

Police Report 178. Ron Neisteter, Henry Siemens:
BE IT RESOLVED THAT the Winkler Police Service First Quarter 2012 Report be received as information.

CARRIED

Police Chief Rick Hiebert reported on the past quarter.

- Warm winter has increased bicycle theft.
- 10 business break & enters in the first few months - mostly by the same person(s).
- Traffic accident reports are down because most now go directly to MPI.
- Councillor Dick asked about MPI sponsored initiatives for plainclothes officers. Winkler Police officers are working over and above their regular schedule to conduct curbside observations. Overtime wages are paid by MPI. Over a period of 16 hours, the result was 1 "cell phone" ticket per hour. Councillor Dick stressed the dangers of texting or cell phoning while driving.

WASTE & RECYCLING

SWAMP 179. Marvin Plett, Herb Dick:
BE IT RESOLVED THAT the SWAMP Committee minutes of March 21, 2012 be received as information.

CARRIED

PLANNING

180. Ken J. Wiebe, Marvin Plett:
B/L 2067-12 BE IT RESOLVED THAT the Expropriation By-Law No. 2067-12 be read a second time.

CARRIED

181. Marvin Plett, Ken J. Wiebe:
B/L 2067-12 BE IT RESOLVED THAT the Expropriation By-Law No. 2067-12 be read a third and final time.

CARRIED

182. Henry Siemens, Ken J. Wiebe:
Permit Rpt BE IT RESOLVED THAT the Building Permit Report to March 31, 2012 be received as information.

CARRIED

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

CARRIED

184. Ken J. Wiebe, Marvin Plett:
Plan. Cmte BE IT RESOLVED THAT the Planning Committee minutes for April 20, 2012 be adopted.

CARRIED

DELEGATIONS & HEARINGS

185. Marvin Plett, Don Friesen:
Pub. Hearing BE IT RESOLVED THAT the public hearing for Conditional Use Application No. 1066-12 be now closed.

CARRIED

186. Ken J. Wiebe, Marvin Plett:
App. 1066-12 BE IT RESOLVED THAT Conditional Use Application No. 1066-12 be approved.

CARRIED

Applicant Paul Spent was present.

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

187. Ron Neisteter, Don Friesen:
Pub. Hearing BE IT RESOLVED THAT the public hearing for Conditional Use Application No. 1069-12 be now closed.

CARRIED

188. Ken J. Wiebe, Marvin Plett:

App. 1069-12 BE IT RESOLVED THAT Conditional Use Application No. 1069-12 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.

- City Manager Dave Burgess commented that in checking with other developers and cities, business condos are not normally done this way and there are a few things for council to consider. The outlook facing the street is unknown. Fire separation walls should be planned. This info hasn't been received and we don't know where they would go.
- Should a consolidation be required after the buyer decides how many units they want? Not many businesses will want 8 ft sections.
- Washroom facilities need to be in each unit, not each 8 foot unit but each condo unit if combined.
- Planning Department suggests a consolidation of units once they are sold.
- Councillor Friesen doesn't really support consolidating because it interferes with expanding. The flexibility would continue to be there later on if the units are not consolidated and is a positive thing for a building owner.
- The development agreement could require a minimum of 3 units to be owned by one party and that way there could be separate titles as well.
- These details will all be decided in the development agreement.

189. Marvin Plett, Henry Siemens:

Pub. Hearing BE IT RESOVLED THAT the public hearing for Conditional Use Application No. 1065-12 be now closed.

CARRIED

Applicants Abe Wall & Bill Peters were present.

John Wiebe - 132 3rd St. S.

- What are the plans exactly? Are they all facing the street? Yes.

Mayor Harder - is this the design you would end up with? Yes that is what they have confirmed. It's important to council for a better street appeal, concerns were raised about the design in the front where the garages stick out.

Walter Kirk - 146 4th St. S

- How much room is on the side? 5'3" on the south side. Can they be required to have 15 feet so the neighborhood doesn't get too crowded?
- His neighbor wants to expand their garage and they can't because a condo unit beside is crowding. If the big units keep coming in, no one can do anything on their own properties. He thinks council should demand the 15 feet on either side.

City Manager Dave Burgess replied that the variance was chosen this way and they do have 6'9".

Mayor Harder commented that 5 ft is all that's required on both sides of a single home and council wants to make sure the design reflects that of a single family home.

Single family is 5' and 5' and multi family is 5' and 15'? Yes, when there is no back lane.

Mr. Wiebe - does 3rd Street have a good sewer line? Yes the capacity is there. That is one of the first questions asked for new multifamily homes.

Mr. Wiebe - could we ask for a fence for the new development on the north side by his house?

The applicant answered that there is a line of trees right now and they will have to take a couple of trees down but he doesn't think any more privacy is gained by putting up a fence. All the trees from the street to the house will stay for privacy reasons.

Mr. Kirk commented that putting 4 families in one lot causes more density - 4 vehicles instead of 1, more people in the backyard. Could he put his own fence up? If it's on his property there's no problem, 6 foot height max.

Councillor Siemens asked if the developer is interested in talking to the neighbors about that. Because it's 50 plus condos, there shouldn't be big crowds of people in the backyard. The new owners could compare with the neighbors to see if something could be put up if needed.

Planning Dept. suggests that A/C units be located at the back or the roof.

John Krahn - developer

- This is a condominium? Yes. Will the condo declaration by-laws have the 50 plus restriction? Mr. Krahn's development is restricted to 50 plus to keep the density of the neighborhood down. Applicant says 2 units are spoken for by retired couples and he doesn't see it being a problem. If it's not stated in the condo by-laws the owners can then sell to anyone. Not something the city can enforce but when the condo by-laws are drawn up, the requirement should be 50 plus only.

Do they have basements? No.

How many sq ft? 1000 sq ft per unit. 2 bedroom? Yes.

190. Ken J. Wiebe, Marvin Plett:
App. 1065-12 BE IT RESOLVED THAT Conditional Use Application No. 1065-12 be approved.
CARRIED

191. Henry Siemens, Marvin Plett:
Pub. Hearing BE IT RESOLVED THAT the public hearing for Rezoning Application No. 2057-12 be now closed.
CARRIED

192. Ken J. Wiebe, Marvin Plett:
Rezone BE IT RESOLVED THAT Rezoning Application No. 2057-12 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.

193. Ron Neisteter, Herb Dick:
Convene BE IT RESOLVED THAT Council adjourn the regular Council meeting and convene into Variation Board.
CARRIED

194. Ron Neisteter, Herb Dick:
Pub. Hearing BE IT RESOLVED THAT the public hearing for Variation Application No. 1067-12 be now closed.
CARRIED

Applicant Paul Spenst was present.
Public drain is behind? Yes.

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

195. Ken J. Wiebe, Marvin Plett:
App. 1067-12 BE IT RESOLVED THAT Variation Application No. 1067-12 be approved.
CARRIED

196. Ron Neisteter, Herb Dick:
Pub. Hearing BE IT RESOLVED THAT the public hearing for Variation Application No. 1064-12 be now closed.
CARRIED

197. Marvin Plett, Ken J. Wiebe:
App. 1064-12 BE IT RESOLVED THAT Variation Application No. 1064-12 be approved.
CARRIED

198. Ron Neisteter, Herb Dick:
Reconvene BE IT RESOLVED THAT Council adjourn Variation board and reconvene into regular Council meeting.
CARRIED

OTHER BUSINESS

199. Don Friesen, Herb Dick:
FCM WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction; and
WHEREAS FCM's Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the prestige required to carry the municipal message to the federal government; and

WHEREAS FCM's 75th Annual Conference and Trade Show will take place June 1 to 4, 2012, during which time the Annual General Meeting will be held and followed by the election of FCM's Board of Directors;

BE IT RESOLVED THAT Council of the City of Winkler endorse Councillor Marvin Plett to stand for election on FCM's Board of Directors for the 2012-2013 term.

CARRIED

Councillor Siemens commented that it's nice that Marvin is prepared to put his name forward and council supports him.

Councillor Plett thinks this is a good opportunity to have more involvement without cost to council. FCM represents most municipalities in Canada and they try to be positive and work with whatever party is in power.

QUESTIONS FROM THE MEDIA/PUBLIC

Steve Sukkau asked about the expropriation by-law. There's a strip of land that the city has a drain on that needs to be formally on the city's title so it's just a legal requirement.

ADJOURN

200. Herb Dick, Ken J. Wiebe:

Adjourn
7:55pm

BE IT RESOLVED THAT this regular meeting of Council be adjourned.

CARRIED

Mayor Martin Harder

City Manager Dave Burgess