

Minutes of a Regular Meeting of Council held in the Council Chambers of City Hall on July 9, 2001 at 6:04 p.m.

**PRESENT:** Councillors Allen, Brennan, Hamilton, Porter & Quinn with Mayor Ian MacKenzie in the Chair.

**ABSENT:** Councillor Tenszen

**ADOPTION OF MINUTES:** 183/01 Moved by: Councillor Quinn  
Seconded by: Councillor Hamilton  
RESOLVED THAT the Minutes of the Regular Meeting of Council held on June 25, 2001 and the Special Meeting of Council held on June 29th, 2001 in the Council Chambers of City Hall be approved as circulated.  
Carried.

**HEARINGS:** Rezoning: Ideal Warehousing – By-Law 01-8101

No one appeared before Council.

Request for Variation: Gilles & Carla Robidoux

No one appeared before Council

**DELEGATIONS:** None

**CORRESPONDENCE:** The correspondence for this period was reviewed.

**COMMITTEE REPORTS:**

**Finance, Legislative & Property Committee** Your Worship, your Finance, Legislative and Property Committee respectfully submits the following reports:

Unpaid Water & Sewer to Taxes for June, 2001  
By-Law 01-8106 – 1<sup>st</sup> Reading  
June/Shirley

This is part of the normal monthly procedure to allow unpaid water and sewer charges be added to taxes be read a first time.

184/01 Moved by: Councillor Quinn  
Seconded by: Councillor Hamilton  
RESOLVED THAT RESOLVED THAT By-Law 01-8106 being a by-law to authorize unpaid water and sewer charges be added to taxes be read a first time.  
Carried.

Short-term Borrowing By-Law – By-Law 01-8094 – 2<sup>nd</sup> & 3<sup>rd</sup> Reading  
Nettie

Current surpluses appear to be sufficient to provide funding for City operations. However, there may be requirements for interim financing until debenture debt can be issued for the capital projects.

By-Law No. 01-8094 will set up a line of credit, at no cost to the City, which can be drawn on only in event it is required

185/01 Moved by: Councillor Quinn  
Seconded by: Councillor Hamilton  
THAT the Council of the City of Portage la Prairie give By-Law 01-8094 second reading.  
Carried.

THAT the Council of the City of Portage la Prairie give By-Law 01-8094 third reading, finally passed, signed and sealed.  
Carried.

In Favour: Councillors Allen, Brennan, Hamilton, Porter, Quinn & Mayor MacKenzie.

Strategic Planning Session –  
For Information Only  
Marg/Dale

Policy CL-AS provides that no later than October 15<sup>th</sup> annually in years in which there is not a general election, City Council shall participate in a Strategic Planning session for the next year. Last year,

the Strategic Planning Session was held on November 4<sup>th</sup> and 5<sup>th</sup>.  
Committee agreed to hold their strategic planning session on Saturday,  
October 13, 2001 at 8:00 a.m.

**City Planning & Economic  
Development Committee**

Your Worship, your City Planning & Economic Development  
Committee respectfully submits the following report:

Rezoning Application – Ideal  
Warehousing – By-Law 01-  
8101.  
Dean/Iva

Council gave first reading to By-Law 01-8101 on June 25, 2001.

186/01 Moved by: Councillor Brennan  
Seconded by: Councillor Allen  
THAT the Council of the City of Portage la Prairie give By-  
Law 01-8101 second reading.  
Carried.

THAT the Council of the City of Portage la Prairie give By-  
Law 01-8101 third reading, finally passed, signed and sealed.  
Carried.

In Favour: Councillors Allen, Brennan, Hamilton, Porter, Quinn and  
Mayor MacKenzie.

Request for Variation –  
Gilles & Carla Robidoux  
Dean/Iva

A letter from Mr. & Mrs. Brooks was read into record. They were not  
opposed to the variation provided that the overhang on the roof of the  
garage does not extend further than one foot.

The property owners, Gilles & Carla Robidoux are applying for a  
variation to their south side yard from the required 1.5 meters (5 feet)  
to 0.78 meters (2.6 feet).

Mr. & Mrs. Robidoux wish to add an attached garage to the south side  
of their dwelling. This building is an R1 – Single family dwelling.  
Public notices were sent out to all property owners within a 100 meters  
(330 foot) radius, with no objections received to date. This application  
was circulated to various City Departments with no concerns being  
expressed.

187/01 Moved by: Councillor Brennan  
Seconded by: Councillor Allen  
RESOLVED THAT the Council of the City of Portage la Prairie  
approve the variation request of Gilles and Carla Robidoux to vary the  
south side yard from 1.5 meters (5feet) to 0.78 meters (2.6 feet) at the  
property known as 837-8<sup>th</sup> Street NW which is legally described as  
Lots 39 & 40, Block 15, Plan 100, Parish Lot 60, Parish of Portage la  
Prairie, for the addition of an attached garage.  
Carried.

Application for Extension to  
Variation – Mellco  
Developments Ltd.  
Dean/Iva

The applicant has requested an extension to the original front yard  
variations on Lots 10 to 17, Block 2, Plan 35629.

The original Variation Order No. 243/00 dated August 14<sup>th</sup>, 2000 also  
included a variation to the front yards on Lots 18, 19, 20 & 21. Since  
this time, building has commenced on these lots, so as a result they  
will not be included in this request for extension to the original  
variation. As well, Mellco Developments Ltd. has applied to the  
Province of Manitoba to subdivide their R3 property into three parcels  
of which this variation would impact.

At this time, Mellco Developments Ltd. is requesting this extension to  
the original variation as they do not plan on building on these lots  
within 12 months time.

Section 55(13) of The Planning Act states that “A variation order made  
under subsection (8) shall expire and cease to have any effect if it is

not acted upon within 12 months from the date it was made, unless it is renewed before the expiry date at the discretion of council for a period not exceeding 12 months.

This property is zoned R3 – Multiple-Family Dwelling District.

188/01 Moved by: Councillor Brennan  
Seconded by: Councillor Allen

RESOLVED THAT the Council of the City of Portage la Prairie approve the request for an extension to the original variation application No. 243/00 dated August 14, 2001 of Mellco Developments Ltd., to vary the front yard requirements from 7.5 meters (25 feet) to varying distances between 6.0 meters (20 feet) to 7.15 meters (23.8 feet), as per attached Schedule A, at the location known as 21 Brookside Crescent and 10, 14, 18, 22, 26, 30, 34, 38, 42, 46, 50, 54 & 58 Jack Cavers Place and legally described as Lots 10, 11, 12, 13, 14, 15, 16 & 17, Block 2, Plan 35629.  
Carried.

### Public Safety Committee

Your Worship, your Public Safety Committee respectfully submit the following reports:

Tender for Provision of  
Parking Meter Policing  
Services 2001  
Dennis

Tender 2001 PS 001 was advertised publicly in the Daily Graphic and closed on June 15<sup>th</sup>, 2001. The tender includes policing and issuing tickets at all metered locations (approximately 400 meters), removal of coinage and depositing of such coin and replacement of timer units in the meters when and where required. In addition, they are required to notify City Departments of any unsafe or damaged property that may be observed.

Orion Security was the only bidder. Their bid was as follows:

Hourly Rate:	\$13.07
GST	\$ 0.91
Total:	\$13.98

Orion Security is the current contractor and has been since 1998. We have had no concerns with their level of service.

The previous hourly rate was \$11.18 per hour plus GST for policing and an hourly rate of \$10.75 plus GST for coin collection. The new contract would run from August 1, 2001 to December 31, 2004 for a total of 40 months. The contractor would work a minimum of 48 weeks to a maximum of 50 weeks per year, 8 hours per day Monday to Friday on policing duties and 4 hours per week on coin collection.

A 2% increase on the hourly rate was budgeted in the current budget. The remainder of the 2001 contract (August 1<sup>st</sup>, 2001 to December 31, 2001) would be approximately 14% or \$1342.16 over budget based on an hourly wage.

189/01 Moved by Councillor Porter  
Seconded by Councillor Brennan

RESOLVED THAT the contract for the position of Parking Meter Policing Services for the period August 1, 2001 to December 31, 2004 be awarded to Orion Security and Document Services (1990) Ltd. at the tendered price of \$13.98 per hour including GST, and the Mayor and Manager of Administration be authorized to sign the agreement on behalf of the City of Portage la Prairie.  
Carried.

### Waterworks Committee

Your Worship, your Waterworks Committee respectfully submits the following reports:

Award of Tender – Biosolids  
Land Application  
Kelly B

The tender was advertised in the Winnipeg Free Press, the Daily Graphic and the City of Portage la Prairie Website. The tender opening was Tuesday, June 12, 2001.

The work includes the removal of approximately 385 dry tones or solids from the anaerobic digester (BVF), hauling and injection into farmland as a soil amendment and fertilizer.

This work would be performed according to the provisions and conditions set forth in Environment License 1907.

The utility budget contains \$135,468.00 (including 3% GST) for land application and biosolids. (400 dry tones @\$338.67 per tonne) The cost of the work is \$125,725.60 net of GST rebate. The Tender is \$9742.40 under budget. The work is scheduled for completion by October 15, 2001.

190/01 Moved by: Councillor Hamilton  
Seconded by: Councillor Porter  
THAT the Council of the City of Portage la Prairie award the tender of 01 OPS 014 to Assiniboine Injections Ltd. for the tendered price of \$129,352.30.  
Carried.

## Transportation Committee

Traffic By-Law – By-Law  
01-8105 - 1<sup>st</sup> Reading  
Marg

Your Worship, your Transportation Committee respectfully submits the following report:

The current Traffic By-Law No. 6897, passed in 1987, has been amended several times. A committee was struck to review and update the by-law to bring it in line with today's standards. The result is a comprehensive new by-law that incorporates many of the clauses from the current by-law, deletes those no longer applicable, and adds several new clauses. All fees pertaining to this by-law have been removed and placed in the Fees and Charges By-Law. All times mentioned in this new by-law are in the 24 hour clock format.

Some of the new clauses in the by-law include:

- Use of skateboards, roller blades, toy vehicles, etc. will be prohibited where it interferes with pedestrian or vehicular traffic [Sec. 16]
- Parking tickets may be issued every 2 hours if the vehicle is not moved or money not placed in the meter [Sec. 53]
- Snowmobiles and off-road vehicles may not be operated on any street unless authorized under the Off-Roads Vehicles Act [Sec. 59(a)]
- Engine Retarder Braking Systems, commonly known as "jake brakes", will be prohibited within City limits [Sec. 59(b)]
- Anyone wishing to construct a driveway will need to make application to the Director of Operations for a permit [Sec. 62]
- Bicycle owners may have their bicycles seized and impounded for infraction of the by-law [Sec. 65]

A couple of minor changes have been made to the proposed Traffic By-Law since Council reviewed it at Committee last week.

In section 12, a new subsection (d) has been added to require the owner of a horse and sleigh or wagon to put safety lights or reflectors around the horse and sleigh when inside City limits.

In section 39, the words "covered loads" have been removed from the heading. The wording in this section states that loads must be "properly contained and secured to prevent loss of materials during transport". This does not necessarily mean that the loads must be covered.

Section 47 was renumbered to read:

### 47. PARKING PROHIBITION TO ACCOMMODATE SNOW CLEARING

- a) During Severe Weather Conditions
- b) During Normal Weather Conditions

Section 47 (b) has been further clarified to indicate snow removal during normal weather conditions will take place on the day following garbage collection, and further that during the period November 1 to April 30 in each year, no person shall park a vehicle on the street on the day following garbage collection until after the snow removal

equipment has completed the work.

For Council's information, the existing by-law makes no reference to bicycles or skateboards.

Bicycles are legislated under The Highway Traffic, and specifically, section 145 (2.3) states that, "No person shall operate on a sidewalk a bicycle with a rear wheel the diameter of which exceeds 410 millimetres (16 inches)."

Section 16 of our new Traffic By-Law deals with skateboards and other similar devices. It does not prohibit the use of these devices on a street or sidewalk, but does require the users to operate the devices in a cautious and courteous manner.

191/01 Moved by: Councillor Quinn  
Seconded by: Councillor Brennan  
RESOLVED THAT Section 12 c be amended to insert the words "any person or property" after the words "injury to" in the second line.  
Carried.

192/01 Moved by: Councillor Tenszen  
Seconded by: Councillor Quinn  
THAT By-Law No. 01-8105 being a by-law for the regulation of traffic and parking and the use of streets and sidewalks in the City, be now read a first time as amended.  
Carried.

### **Community Services Committee**

Your Worship, your Community Services Committee respectfully submits the following report:

Outdoor Leisure Water Park  
Dean

The public is invited to an open house on Monday, July 16, 2001 at 7:00 p.m. at the Crocus Room, Herman Prior Senior Services Centre to see the initial site plan and design for the proposed Outdoor Leisure Water Park that will be built on Island Park commencing this year.

The designer that the City has retained for the project, Mr. Bob Ellard, of the Ellard Croft Design Group, will be on hand to outline the unique design features of the proposed facility and respond to any general inquiries that the public may have.

The primary purpose of the open house will be for the City to obtain public feedback to the proposed design and respond to any questions that the public may have concerning the project.

### **DEFERRED BUSINESS:**

None

### **OLD BUSINESS:**

None

### **NEW BUSINESS:**

Request for Liquor Permit –  
Portage Mixed Volleyball  
League Tournament  
Dean/Jennifer

The Portage Mixed Volleyball League is comprised of 32 teams, with players ranging in age between 18 & 60. The volleyball tournament would be operated by volunteers from the league and all proceeds would be invested in purchasing new league equipment. They have requested that the City of Portage la Prairie allow them to obtain a liquor permit at the Republic Park for this event. The beer gardens are to be located at either the Northeast or Southeast side of the Volleyball courts. The Manitoba Liquor Control Commission requires authorization from the City of Portage la Prairie, as owners of the facility, before issuing a liquor permit to the Portage Mixed Volleyball League.

Council of the City of Portage la Prairie has previously authorized four Occasional Use Permits since January, 2001. Occasional Use Permits are issued by the Manitoba Liquor Control Commission directly to the rental group that is hosting an event at a City facility. The patrons of the Beer Gardens will be related and or involved in the activity hosted by the rental group.

193/01 Moved by: Councillor Allen  
Seconded by: Councillor Brennan  
RESOLVED THAT the Council of the City of Portage la Prairie approve the request by Portage Mixed Volleyball League to obtain an Occasional Permit at the Republic Park for July 14, 2001.  
Carried.

PDRI Agreement  
Kelly B

Council reviewed a report on the PDRI agreement in camera.

194/01 Moved by: Councillor Quinn  
Seconded by: Councillor Porter  
RESOLVED THAT Council authorize the Mayor and Manager of Administration, on behalf of the City of Portage la Prairie, to sign an agreement with Portage and District Recycling Incorporated for the collection, processing and sale of recyclable materials.  
Carried.

Back Lane – Herman  
Ommerli  
Dean

On June, 21, 2001 Council sold Mr. Ommerli 101.91 feet out of 126.91 feet of the City owned back lane adjacent to his property so that he could construct a garage.

We have since learned that the District Registrar will not accept this land transfer as is and that in order to do so, Mr. Ommerli would need to purchase the balance of the land, 25 feet, to avoid the subdivision process which will be a much more costly and lengthy process. Mr. Ommerli has agreed to purchase the additional 25 feet.

195/01 Moved by: Councillor Quinn  
Seconded by: Councillor Hamilton  
RESOLVED THAT Resolution #172/01 be amended to more accurately describe the amount of land that is being purchased, 126.91 feet instead of 101.91 feet, as well as the change in the total cost from \$366.84 plus GST and all other associated costs to \$456.88 plus GST and all other associated costs.  
Carried.

Canada Day Celebrations

Mayor MacKenzie thanked the Community Services Staff and volunteers for a very successful Canada Day.

ADJOURNMENT

196/01 Moved by: Councillor Allen  
Seconded by: Councillor Quinn  
RESOLVED THAT the Council Meeting be adjourned at 6:40 p.m.  
Carried

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Mayor

\_\_\_\_\_  
Manager of Administration