

Minutes of a Regular Meeting of Council held in the Council Chambers of City Hall on September 24, 2001 at 6:01p.m.

PRESENT: Councillors Brennan, Hamilton Porter, Quinn, Tenszen and Mayor MacKenzie in the Chair.

ABSENT: Councillor Allen

ADOPTION OF MINUTES: 257/01 Moved by: Councillor Quinn
Seconded by: Councillor Tenszen
RESOLVED THAT the Minutes of the Regular Meeting of Council held on September 10, 2001 in the Council Chambers of City Hall and the Special Meeting Minutes of September 23, 2001 at the Westward Village Inn be approved as circulated.
Carried.

HEARINGS: Variation – Lori & Darren Miller
No one appeared before Council on this issue.

Rezoning – Community Foundation of Portage la Prairie
No one appeared before Council on this issue.

Conditional Use – Ideal Warehousing
No one appeared before Council on this issue.

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 August, 2001 – By-Law 01-8110 – 2nd & 3rd Reading
Shirley/June

This is part of the normal monthly procedure to allow unpaid water and sewer accounts to be added to taxes.

258/01 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT By-Law No. 01-8110 being a by-law to authorize unpaid water and sewer charges to be added to taxes be read a second time.
Carried.

RESOLVED THAT By-Law 01-8110 be read a third time, finally passed, signed and sealed.
Carried.

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

Debenture Authorization – By-Law 01-8093 – 2nd & 3rd Reading
Nettie

On June 25, 2001 Council gave first reading to a by-law authorizing \$6,587,000 of debt towards the upgrading of the Water Treatment Plant and capital projects to accommodate the Simplot's potato processing facility.

Revenues to pay for the debt will be through the City's share of municipal taxes from Simplot, local improvement levies from Simplot for previous water and sewer debt, and water & sewer revenues from Simplot. The debt will NOT be paid through property tax or Water & Sewer rate increases

The by-law was submitted to the Municipal Board for their approval. The Board has now approved the request for debenture subject to the following amendments:

- a) in the sixth “Whereas” clause, last line, replace the local improvement portioned assessment of \$249,284,570.00 with the general portioned assessment of \$219,798,950.00”, and
- b) in clause No. 3, last line, replace the year 2002 with the year 2001.

The City must give 2nd & 3rd reading to the by-law and send it to the Municipal Board for processing. Once debt is required, another by-law will be required to issue the debt and release the funds.

259/01 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton

RESOLVED THAT By-Law 01-8093 authorizing the City’s request for debentures in the amount of \$6,587,000.00 be given 2nd reading as amended.
Carried.

THAT By-Law No. 01-8093 be given 3rd and final reading.
Carried.

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

RM Loan Through
Debentures – By-Law 01-
8095 – 2nd & 3rd Reading
Nettie

On June 25, 2001 Council gave first reading to a by-law authorizing \$4,800,00 to provide the RM of Portage la Prairie with a loan for infrastructure to accommodate the Simplot potato processing facility. Revenues to pay for the debt will come from the RM.

The by-law was submitted to the Municipal Board for their approval. The Board has now approved the request for debenture subject to the following amendments:

- a) in the fourth “Whereas” clause, last line, replace the local improvement portioned assessment of \$249,284,570.00 with the general portioned assessment of \$219,798,950.00”, and
- b) in clause No. 2, last line, replace the year 2002 with the year 2001.

The City must give 2nd & 3rd reading to the by-law and send it to the Municipal Board for processing. Once debt is required, another by-law will be required to issue the debt and release the funds.

260/01 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton

THAT By-Law 01-8095 authorizing the City’s request for debentures on behalf of the RM in the amount of \$4,800,000.00 be given 2nd reading as amended.
Carried.

THAT By-Law 01-8095 be given 3rd and final reading.
Carried.

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

Request for Amendment to
Fringe Area Water
Agreement
Nettie

In 1998 the City entered into an agreement with the RM to provide water and sewer to the rural municipality in the fringe area excluding the Pine Crescent area and Can-Oat facility. The agreement calls for the RM to pay 10% of the general municipal tax levy on any new properties or increases in assessment of properties receiving City water.

In 2000 the City further entered into agreements with the RM to share taxes at the lower mill rate on increased assessments in commercial property. Starting in 2002, each municipality annually pays the other municipality 40% of the lowest municipal mill rate on commercial properties.

However, combining the current fringe area agreement and the tax sharing agreement would mean that the City would collect 50% (40% + 10%) of the municipal taxes on commercial properties in the fringe area. This was not the intent of the tax sharing agreement.

The RM has submitted a draft agreement to amend the Fringe Area Agreement to cancel the 10% requirement for commercial properties effective January 1, 2002.

- 261/01 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT the City enter into agreement with the RM to amend the Fringe Area Water Agreement effective January 1, 2002 and
AND FURTHER THAT the Mayor and Manager of Administration sign the amending agreement accordingly.
Carried.

Leave of Absence for
Councillor Allen
Dale

Section 94 (1) of The Municipal Act states that a member of Council is disqualified from Council if she or he is absent for the full duration of three consecutive regular Council meetings unless the absences are with the leave of Council, granted by a resolution.

Councillor Allen has requested that she be granted a leave of absence from August 27, 2001 to December 14, 2001.

- 262/01 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT Councillor Allen be authorized to take a leave of absence from her Council duties from August 27, 2001 to December 14, 2001.
Carried.

Monthly Activity Reports –
August, 2001 – For
Information Only.

Council reviewed the Monthly Activity Reports for August, 2001.

New Accounting System –
For Information Only

Council reviewed a report on a new accounting system in camera.

McCain Foods Request for
Property Option – For
Information Only

Council reviewed this report in camera.

City Planning & Economic Development

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

Application for Subdivision –
Former Westend Community
Club
Dean

The City of Portage la Prairie wishes to subdivide the property known as Lots 24 to 30, Plan 13, and Lot 3, Plan 2400, Parish of Portage la Prairie for the purpose of residential development.

The application for subdivision received from the Province recommends that this proposal be approved as requested.

The entire property is zoned R1- Single Family Dwelling District. The approval by Council for this subdivision will then permit Administration to actively market the property once the Province formally authorizes the subdivision application.

- 263/01 Moved by: Councillor Brennan
Seconded by: Councillor Tenzon
RESOLVED THAT the Council of the City of Portage la Prairie authorize the application of The City of Portage la Prairie, to subdivide the property formally known as Westend Community Club, and legally described as Lots 24 to 30, Plan 13, and Lot 3, Plan 2400, Parish of Portage la Prairie for the purpose of creating four residential lots.
Carried.

Variation – Lori & Darren
Miller
Dean/Iva

The applicants, Lori & Darren Miller, are applying for a variation as they wish to construct an addition onto their dwelling, being an attached garage with washroom area.

This building is in an R1/60 – Single Family Dwelling District.

Public notices were sent out to all property owners within a 100 meters (330 foot) radius, with no objections received.

264/01 Moved by: Councillor Brennan
Seconded by: Councillor Tenzen

RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Darren & Lori Miller to vary the side yard requirement of five feet (1.5 meters) to 2.8 feet (.84 meters) – at the property known as 274 Seneca Street which is legally described as Lot 56, Plan 28428, Parish Lot 94, Parish of Portage la Prairie.
Carried.

Conditional Use – Ideal
Warehousing Ltd
Dean/Iva

The applicant, Ideal Warehousing Ltd., has applied for a conditional use to operate a Service Station/Automotive & Recreational Vehicle Sales Outlet at the location known as 510 Saskatchewan Avenue East. This Conditional Use was a condition of the Re-zoning of this property from C1 to C2 that was passed by City Council on August 13, 2001, Resolution 217/01.

This building is now zoned C2 – Central Commercial District (Fringe Area). Public Notices have been sent and no objections have been received to date.

265/01 Moved by: Councillor Brennan
Seconded by: Councillor Tenzen

THAT the Council of the City of Portage la Prairie approve the conditional use application of Ideal Warehousing Ltd. to operate a Service Station/Automotive & Recreational Vehicle Sales Outlet at the property known as 510 Saskatchewan Avenue East, which is legally described as Lots 3, 4 & 5, Plan 82, River Lot 68, Parish of Portage la Prairie.
Carried.

Rezoning Application – The
Community Foundation of
Portage & District By-Law
01-8111 – 1st Reading
Dean/Iva

The Applicant, Mrs. Della Cogar, wishes to rezone the property at 525-2nd Street NW from R1 – Single Family Dwelling District to R3 – Multiple Family Dwelling District.

The applicant wishes to rezone this property to R3 – Multiple Family Dwelling District to allow the former Prosvita Hall to be converted to a 4-plex-apartment type dwelling. Mrs. Cogar has stated in her site plan that “The only addition necessary to the existing structure will be the screened-in deck areas at the front of each unit. The parking lot will be paved and developed according to City specifications. As well, considerable landscaping will be done to make the site more aesthetically pleasing and better suited to its location in a residential area.”

The City of Portage la Prairie Development Plan designates this area R-Residential and policy 5.6 states that re-development and infill shall be encouraged, since this type of development utilizes existing services.

The application will be circulated to the Province for review and comment after first reading.

As per section 45(1) of the Planning Act, Council shall indicate its intention to enact a zoning by-law amendment by giving first reading and proceed with Public Notices as set out in subsections (2), (3), (4).

The first reading of By-Law 01-8111 will commence the process as defined in the Planning Act in considering this application.

266/01 Moved by: Councillor Brennan
Seconded by: Councillor Tenzzen
RESOLVED THAT the Council of the City of Portage la Prairie give By-Law 01-8111 First Reading and provide public notices as defined in 42(1) and (2) of the Planning Act to rezone the property at 525-2nd Street NW from R1 “Single Family Dwelling District” to R3 “Multiple Family Dwelling District”.
Carried.

Monthly Activity Reports – August, 2001 Council reviewed the monthly activity reports for August, 2001.

Public Safety Committee Your Worship, your Public Safety Committee respectfully submits the following report:

Monthly Activity Report – August, 2001. Council reviewed the monthly activity reports for August, 2001.

Waterworks Committee Your Worship, the Waterworks Committee respectfully submits the following report:

Monthly Activity Reports – August, 2001 Council reviewed the monthly activity reports for August, 2001.

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

Request for Two Parking Spots for Driver Testing
Dale Keith Beach appeared before Council to support his request.

The Manager of Driver and Vehicle Licensing in Portage la Prairie has requested that two metered parking spots on the northwest corner of the Provincial Building be allocated to driver testing. He proposes that the meters be removed and signs stating, “Parking for Driver Testing Purposes Only” be put in place. There used to be two parking spots for driver testing in the Provincial Building parking lot.

The area around the Provincial Building is a high traffic area and parking spaces on both Tupper Street North and 1st Street NW are at a premium. Should Council decide to grant the request from Driver and Vehicle Licensing, two metered spaces would be lost permanently in an already congested area.

267/01 Moved by: Councillor Tenzzen
Seconded by: Councillor Quinn
THAT Council of the City of Portage la Prairie deny the request from Driver and Vehicle Licensing to have two metered parking spots allocated to driver testing.
Carried.

Request for Handicapped Parking Zone
Kelly Braden A request for the creation of a handicapped-parking zone at 121-8th St SW has been received.

To Administration’s knowledge, the city has never established a handicapped-parking zone for a residence. Restricted parking zones have been created, however, for drop-off sites such as on Royal Road at Oddfellows Towers. The Traffic Bylaw permits creation of such special parking zones on any street.

In this instance, there is a driveway at 121-8th St SW and a public sidewalk, which could be used for parking a vehicle. If the Handi-van was used and they wanted to remain on the street, it could be parked at the end of the driveway for loading and unloading.

During casual observations of the street, it was noted that a vehicle was parked in front of house #121 on a couple of occasions, however, the street is generally not full of parked cars and access to the street is available.

- 268/01 Moved by Councillor Tenszen
Seconded by: Councillor Quinn
RESOLVED THAT the request for a Handicapped Parking zone at 121-8th St SW be denied.
Carried.

Crescent Road East Parking
Kelly

The newly revised Traffic Bylaw includes a list of designated “No Parking” zones.

A request to remove the “No Parking” zone in front of 429 Crescent Road East has been received. A review of the parking on Crescent Road between 5th St SE and Royal Road was completed.

Crescent Road has a similar width to any other residential street within the City. It carries significantly more traffic, however, and there are some visibility issues at some intersections.

Westbound at Royal Road, there is now a turning lane, and a “No parking” zone is required.

At Portage Avenue and at 3rd St E, the poor sight lines will require “No Parking” zones. The sight line to the east from 3rd St is of particular concern. The front hedge at 421 Crescent Road has been removed which has improved visibility.

The Transportation Association Guideline for minimum sight line distance for vehicles stopped at an intersection with vehicles traveling at 50km/h on the major road is 83 meters. The minimum sight line distance when vehicles are traveling at 60km/h is 100 meters.

At 4th St. East, visibility is not obstructed any more than at any other intersection. The “no parking” zone would be the normal allowance at an intersection.

At 5th St. E, the median reduces the width of the westbound road and a “No Parking” zone is required.

- 269/01 Moved by: Councillor Tenszen
Seconded by: Councillor Quinn

RESOLVED That Council amend the Schedule D to 01-8105 to include Traffic Bylaw “No Parking” zones on the north side of Crescent Road East:

- 76) from Royal Road to a point 40 meters to the east;
- 77) from Portage Avenue to 3rd St. East;
- 78) from 3rd St. East to a point 50 meters to the east (to the easterly lot line of 425 Crescent Road East);
- 79) from 5th St. E. to a point 30 meters to the west (to the #1 Broadway entrance).

Carried.

Award of Tender – Landfill
Weigh Scale
Kelly B

All the tenders were advertised publicly on the City Web site and provided to known suppliers of weigh scales.

The tender included the supply and installation of an automatic unmanned truck scale for the 227 landfill, complete with foundation, and associated electronics and software, a scale house and a generator. The bidders were asked to submit prices on a 52.5-foot scale deck and a 70-foot scale deck as a second option.

The budget for the work was \$95,000, based upon initial supplier indications. The budget included a grant of \$20,000, which was denied by the Province of Manitoba. Therefore, the City has a budget of only \$75,000 to complete the work. The low tender of \$121,000 including 3% GST is \$46,800 over budget.

Since the tender closed, we have learned that there are potential cost-

savings available by changing the specifications for the weigh scale. The one supplier has also recommended options be added to the scale.

It is recommended that the tender not be awarded at this time. Given budget approval, the tender will be re-issued in early 2002 for installation in the early summer.

270/01 Moved by: Councillor Tenzen
Seconded by: Councillor Quinn
RESOLVED THAT the tender number 01 OPS 020 for the supply of a truck scale at the 227 landfill site not be awarded.
Carried.

Monthly Activity Report Council reviewed the Monthly Activity Report for August, 2001.

Community Services Committee Your Worship, your Community Services Committee has nothing to report.

Tourism Advisory Committee Resignation
Dean Council was advised in camera that Mr. Wendell Keeler had resigned from the Tourism Advisory Committee. An appointment of a replacement for Mr. Wendell Keeler was tabled until the next meeting.

Monthly Activity Reports Council reviewed the monthly activity reports for August, 2001.

DEFERRED BUSINESS: None

OLD BUSINESS: Councillor Quinn commended the job done by the Southport Reunion Committee in spite of world events during that time.

Councillor Quinn expressed respect and appreciation to senior Management for their work during the extremely stressful time concerning the lawsuit against the City.

NEW BUSINESS:

Outdoor Leisure Water Park
– Press Release *Dean* Council read the press release for the Outdoor Leisure Water Park.

CUPE Negotiations
Dale Council reviewed a report on the CUPE Negotiations in camera.

271/01 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT the Negotiating Committee for the City to negotiate a 2002 agreement with CUPE be the City Manager, the Director of Finance and the Human Resources Officer;
AND FURTHER THAT the City Manager and Mayor be authorized to sign a Letter of Understanding with CUPE concerning Utility Staff Salaries for part of 2001.
Carried.

October 8th, 2001 Council Meeting
Marg The October 8th Council Meeting falls on Thanksgiving Monday. One suggested solution is to move the October 8th meeting to Tuesday, October 9th. To move the Council meeting one week ahead would result in meeting two weeks in a row. There are no Planning hearings scheduled for October 8th.

272/01 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT the Council meeting of October 8th be rescheduled to Tuesday, October 9, 2001.
Carried.

Sale of Former Calwest Land and Building
Dean Council reviewed this report in camera.

273/01 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT the City of Portage la Prairie accept the

offer to purchase for \$205,000.00 as presented on condition that the City obtain clear Tax Title after the 30 day tax sale appeal period and counter offer some of the conditions, including:

- That the Building and property be sold “as is, where is”
- That both parties be responsible for their own costs related to the sale and transfer of title.
- That all references in the Shindico offer to purchase identifying the City of Winnipeg be changed to read “The City of Portage la Prairie”.
- That clause 3.0.1 (a) be deleted.
- That the purchaser be advised that there is a right of way caveat registered against the property by Bachalo Farms Ltd. Carried.

Award of RFP for Riverstudy
Kelly B

Council reviewed this report in camera.

274/01

Moved by: Councillor Hamilton
Seconded by: Councillor Porter

RESOLVED THAT Council award the contract for the Assiniboine River Monitoring Study to the partnership of North-South Consultants Inc. and Earthtech Canada Inc.
Carried.

New Year's Levee

Mayor MacKenzie advised that Lieutenant Governor Peter Liba has extended an invitation to Council and the Citizens of Portage la Prairie to a New Year's Levee to be held on Wednesday, January 2, 2002 from 7:00 p.m. to 9:00 p.m.

ADJOURNMENT

275/01

Moved by: Councillor Quinn
Seconded by: Councillor Porter

RESOLVED THAT the Council Meeting be adjourned at 6:47 p.m.
Carried.

Mayor

Manager of Administration