

Minutes of a Regular Meeting of Council held in the Council Chambers of City Hall on January 28, 2002 at 6:00 p.m.

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

ABSENT: Councillor Allen

ADOPTION OF MINUTES: 22/02 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT the minutes of the regular meeting of Council held on January 14, 2002 be approved as circulated.
Carried.

HEARINGS: Variation: M Cramer – 15 Wilkinson Crescent
No one appeared before Council on this issue.

DELEGATIONS: Mr. Garth Clary – Cemetery Lot Fee Increases
Garth Clary of Omega Funeral Homes appeared before Council to register his objection to raising the cemetery lot fees 100%, and asked Council to take a second look at this suggested price increase. He complimented the City on the well kept cemeteries but, even though he understands the cost of operating the cemeteries, did not think increasing the fees by this amount was justified. He suggested that a smaller increase over the next two or three years would be better. Mr. Clary pointed out that Evergreen Memorial Gardens reduced their price last year from \$500 to \$400/plot.

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:

By-Law 01-8120 – Unpaid Water & Sewer to Taxes for December – 2nd & 3rd Reading
June/Shirley This is part of the normal monthly procedure to allow unpaid water & sewer accounts to be added to property taxes.

23/02 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT By-Law No. 01-8120 being a by-law to authorize unpaid water & sewer charges be added to taxes be read a second time.
Carried.

RESOLVED THAT By-Law 01-8120 is read a third time, finally passed, signed and sealed.
Carried.

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

By-Law 02-8131 – Adding Unpaid Trailer License Fees to Property Taxes – 1st Reading
Nettie/Shirley The Fees & Charges By-Law 00-8078 states “THAT any unpaid fees or charges owed to the City by any tax payer including any penalties related thereto as well as any fines imposed on the tax payer by the court for contravention of the City By-Laws may be added to the taxes of the said tax payer and may be collected or enforced in the same manner as a tax as defined by the Municipal Act, L.M. 1996 c. 58.

In order to collect unpaid trailer license fees, it is the city’s practice to semi-annually add sums of money owing to the City of Portage la

Prairie for trailer license fees to the Collector's roll.

- 24/02 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT By-Law 02-8131 being a by-law to add unpaid 2001 trailer license fees as per schedule A be added to taxes, be read a first time.
Carried.

By-Law 01-8123 – Adding
Unpaid Service Fees to Taxes
– 2nd & 3rd Reading
Nettie/Shirley

In order to collect unpaid solid waste collection fees, noxious weed accounts, garbage fees, sweeper rental charges, fire alarm rental charges, hedge trimming charges and false alarm permits, it is the City's practice to add sums of money owing to the City of Portage la Prairie for these unpaid accounts to the Collector's Roll.

- 25/02 Moved by: Councillor Quinn
Seconded by Councillor Hamilton
RESOLVED That By-Law No. 01-8123 being a by-law to authorize unpaid solid waste collection fees, noxious weed accounts, garbage fees, sweeper rental charges, fire alarm rental charges, hedge trimming charges and false alarm permits to be added to taxes be read a second time.
Carried.

RESOLVED That By-Law No. 01-8123 be read a third time, finally passed, signed and sealed.
Carried.

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

By-Law 01-8122 – Adding
Unpaid Business licenses to
taxes – 2nd & 3rd Reading
Nettie/Shirley

In order to collect unpaid business license fees from businesses operating out of their property, administration is recommending adding these unpaid fees to property taxes. This ensures collection of these accounts without proceeding to the City's collection agency, which would involve collection fees.

- 26/02 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT By-Law No. 01-8122 being a by-law to authorize the unpaid 2001 business license fees as per schedule "A" be added to taxes be read a second time.
Carried.

RESOLVED THAT By-Law 01-85122 be read a third time, finally passed signed & sealed.
Carried.

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

October & November 2002
Council Meeting dates
Marg/Jodi

The October 14th Council Meeting falls on Thanksgiving. The November 11th Council Meeting falls on Remembrance Day.

- 27/02 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT the Council meeting of October 14, 2002 be rescheduled to Tuesday, October 15, 2002 and the November 11th, 2002 Council Meeting be rescheduled to Tuesday, November 12th, 2002.
Carried.

2001 Board of Revision – For
Information Only
Marg

The Board of Revision was held on November 19 and November 26; 2001 to hear 113 appeals on the 2002 assessment roll, 20 of which were withdrawn.

Four of the assessment appeals that were granted by the Board were

significantly large:

- The old Calwest building was reduced by \$692,500 to reflect the sale value.
- The apartments on 18th Street were recently provided with individual roll numbers. The original roll number for all the apartments was used as a template and then not deleted, as it should have been. Deletion of this roll number then affects a decrease from the assessment roll of \$749,500.
- The Westco Storage building on 6th Avenue east had its assessment reduced by \$575,800 to better reflect the vacancy issues.
- The Woodlands Walk apartments had their assessments reduced by \$582,800 to correct a computer error.

As a result of the 2001 Appeal Board, the total decrease is \$2,786,700, which is broken down as follows:

- Commercial – a total decrease of \$1,383,700
- Residential – (single family dwellings) – a total decrease of \$1,349,200
- Residential (multi-family dwellings) – a total decrease of \$53,800

By-Law 02-8129 – Short
Term Borrowing By-Law – 1st
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 Capital Projects.

By-Law 02-8129 will set up a line of credit, at no cost to the City, which can be drawn on only in the event it is required, with interest charges applying from that time on.

28/02

Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT By-Law 02-8129 be given first reading.
Carried.

Parking Ticket Notification to
Dealers

Dennis
Nettie
Bill
Jodi
Marg

There are some local dealers that wish to be notified before the ticket advances to the higher fee. Brandon provides a notification to rental car companies after the higher fee applies but then offers a discount of 50% for payment. Local dealers and lease companies pay the full amount.

Winnipeg notifies rental car companies (i.e. Budget, Hertz) on a weekly basis and at no charge.

If Council wishes to offer this service to local dealers, then a fee could be placed for the additional staff time this utilizes. The fee could be at least \$5.00 for each week's inquiry and should be pre-paid each year to receive this service. One year of this notification service would require a prepayment of \$260 but there is a savings to the company if more than 13 tickets would have otherwise progressed to the higher ticket level.

Since the January 14, 2002 Committee Meeting, Administration discussed the issue with the concerned auto dealerships. It was found that rental cars are often provided under dealer plates, making it difficult to distinguish rental use from dealer use.

With some updates made to the existing computer system, outstanding parking ticket reports can be retrieved specific to each dealer and emailed as an option at no additional cost to the dealer since there is little staff time involved with this new procedure.

29/02

Moved by: Councillor Quinn
Seconded by: Councillor Hamilton
RESOLVED THAT Administration offer electronic notification service for outstanding parking tickets to those dealerships who request it.

Carried.

Appointment of Weed
Inspector
Marg

It is a requirement of the Noxious Weeds Act that every municipality annually appoint a Weed Inspector and notifies the Department of Agriculture of the appointment. This appointee carries out the provisions of the Noxious Weeds Act. Dave Green has been the City's appointee for a number of years.

30/02 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton

RESOLVED THAT in accordance with Section 11 of The Noxious Weeds Act, Council of the City of Portage la Prairie appoint Dave Green as the City's Noxious Weeds Inspector; AND FURTHER THAT this appointment be conveyed to the Director of Soils and Crops Branch of the Department of Agriculture.

Carried.

By-Law 02-8134 Amendment
to Council Procedure By-Law
-1st Reading
Marg

From time to time the City of Portage la Prairie has noteworthy visitors on whom it would be deemed appropriate to bestow the title of Honorary Citizen.

Because of the Council bi-weekly schedule, and the sometimes short notice of the arrival of special visitors, it is proposed to amend the Procedure By-Law to include authority for the Mayor to grant this honour without requiring the approval of Council each time.

31/02 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton

RESOLVED THAT Council of the City of Portage la Prairie give first reading to By-Law No. 02-8134, a by-law to amend the Organizational and Procedures By-Law No. 00-8058 by including a new clause within Section 3.6, as follows:

3.6.1 c) Under authority of this by-law, at his discretion, the Mayor of the City of Portage la Prairie may grant the title of "Honorary Citizen" to special visitors.

Carried.

By-Law 02-8133 –
Amendment to Fees &
Charges By-Law – 2nd & 3rd
Reading
Marg

This By-Law received first reading on January 14, 2002.

32/02 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton

RESOLVED THAT Council of the City of Portage la Prairie give second reading to By-Law No. 02-8133 to amend By-Law No. 01-8117 in Section 8.c) of Schedule A regarding parking ticket fines; Section 3.a) and b) of Schedule B regarding cemetery lot fees; and Section 1.a) and b) of Schedule C regarding building inspection and moving permit fees.

Carried.

Moved by: Councillor Tenszen
Seconded by: Councillor Brennan

RESOLVED THAT cemetery lot fees be adjusted to an increase of \$120.00 per year over a period of three years.

Defeated

RESOLVED THAT Council give By-Law 02-8133 be read a third time, finally passed, signed and sealed.

Carried.

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

Opposed: Councillor Tenszen

Monthly Activity Reports – For Information Only		Council reviewed the monthly activity reports.
CUPE Maternity Leave Benefits – In Camera Lorrie/Dale	33/02	Council reviewed this report in camera. Moved by: Councillor Quinn Seconded by: Councillor Hamilton RESOLVED THAT the Collective Agreement between the City and CUPE Local 1002 be amended to include the proposed wording from CUPE dated December 18, 2001 to provide six days leave prior to maternity leave. Carried.
Residential Development – For Information Only – In Camera		Council reviewed a report on residential development in camera.
Current Projects List – In Camera – For Information Only		Council reviewed the Current Projects Lists in camera.
City Planning & Economic Development		Your Worship, your City Planning & Economic Development Committee respectfully submits the following reports:
Application for Variation – M. Cramer – 15 Wilkinson Jennifer/Iva		This request for variation is to allow the width of Mrs. Cramer's driveway to be extended from the required 20 feet to 26 feet. Mrs. Cramer is requesting the extra width due to the fact that she has recently constructed an attached double-car garage from the previous single-car garage that had been attached to her dwelling. This building is in an R1 – Single-family dwelling district. The application has been circulated to the various City Departments. Public notices were also sent to all property owners within a 100 meters (330 foot) radius.
	34/02	Moved by: Councillor Brennan Seconded by: Councillor Hamilton RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Mrs. Margie Cramer to vary the width of the driveway from the required 20 feet to 26 feet, at the property known as 15 Wilkinson Crescent. which is legally described as Lot 1, Plan 1149, PLTO, in River Lots 90 & 91, Parish of Portage la Prairie. Carried.
Encroachment Agreement – Meg Properties Jennifer/Iva		This property is legally described as at Portage la Prairie and being Lot 145, Plan 12, PLTO in River Lot 64, Parish of Portage la Prairie. The encroachment involves the east wall of this commercial building, which encroaches onto Royal Road South by 0.15 feet. The owner was provided with an encroachment agreement for review and signature and has since returned the signed agreements for review and approval of City Council.
	35/02	Moved by: Councillor Brennan Seconded by: Councillor Hamilton RESOLVED THAT the Council of the City of Portage la Prairie enter into an agreement with Meg Properties Ltd. to allow the east wall of the building located at 21 Royal Road South to encroach onto Royal Road South as shown on attached Schedule A. Carried.
By-Law 02-8128 –		This amendment is required to allow for the development of a 55+ Life

Development Plan – Jim
Hayes 1st Reading
Jennifer/Iva

Lease Apartment Building on the vacant property that the City has recently sold to Mr. Hayes.

The change to the Development Plan re-designates the land from an "A/RR" - Agricultural Residential Reserve to "R" - Residential.

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

As per sections 27 to 32, Council shall indicate its intention to enact an Amendment of the Development Plan by giving first reading and proceed with Public Notice as set out in subsections 28(1) to 28(5).

The first reading of By-Law No. 01-8128 will commence the process as defined in the Planning Act in considering this application.

36/02 Moved by: Councillor Brennan
Seconded by: Councillor Quinn

RESOLVED THAT the Council of the City of Portage la Prairie approve the amendment of Bylaw No. 7123, that being the City of Portage la Prairie Development Plan, to allow the re-designation of the property from an "A/RR" - Agricultural Residential Reserve to "R" - Residential, and further that By-Law No. 02-8128 be given first reading and advertised.

Carried.

By-Law 02-8127 Rezoning
Application – Jim Hayes – 1st
Reading
Jennifer/Iva

The Applicant, Mr. Jim Hayes, wishes to rezone this property, from the present zoning of UR – Urban Reserve District to R3 – Multiple-family Dwelling District.

The owner of the property wishes to rezone this property to allow for the proposed construction of a 55+ Life Lease Apartment building. At the present time this property is vacant land.

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

The first reading of By-Law No. 01-8127 will commence the process as defined in the Planning Act in considering this application.

37/02 Moved by: Councillor Brennan
Seconded by: Councillor Hamilton

RESOLVED THAT the Council of the City of Portage la Prairie give By-Law No. 02-8127 First Reading and provide public notices as defined in Section 42 (1) and (2) of the Planning Act.

Carried.

Tourism Advisory Committee
Directional Signage
Recommendation – For
Information Only
Sarah

It was determined, after taking design and cost into consideration, to not recommend the design by Richard Chamberlin Communications. The TAC, instead, would like to request that Council consider asking Portage Signs and Lettering and Pro Image Signs to prepare a quote on one amalgamated conceptual design.

It was felt by the TAC that the single sign design provided by Pro Image, joined with the large sign idea displaying all the attractions submitted by Portage Signs and Lettering be the basis for the price quote from both Portage Signs and Lettering and Pro Image Signs. The TAC is proceeding to get further quotes from Portage Signs and Lettering and Pro-Image Signs.

Portage Piranha Swim Club
Hosting Assistance Grant
Application
Sarah

Council approved the Hosting Assistance Grant in March of 2001 in order to provide an incentive to local organizations to host events in Portage la Prairie. Up to \$750 is available to non-profit groups to assist in offsetting their costs to attract public festivals, special events, sport events, heritage events, or conferences to the City.

The Portage Southport Piranha Swim Club has submitted an application

requesting \$750 for the Swim Manitoba Provincial B Championship swim meet to be held at Southport Community Aquaplex January 25,26 & 27, 2002.

If the Southport Portage Piranha Swim Club grant application met all of the criteria outlined in the policy approved by Council, they would be eligible for \$510 in grant funding for this event. However, there are areas of the application that do not meet policy guidelines set by Council.

The Southport Portage Piranha's are currently in arrears to the City of Portage la Prairie in the amount of \$5809 for facility rental fees. It is outlined in the enclosed letter from the Club that the any profits from this event will be directed toward paying off a portion of their current debt owed to the City.

38/02 Moved by: Councillor Brennan
Seconded by: Councillor Hamilton

RESOLVED THAT Council of the City of Portage la Prairie approve a grant of \$510 to the Southport Portage Piranha's Swim Club for the Swim Manitoba Provincial B Championship to be held January 25, 26 & 27, 2002.
Carried.

Youth For Christ Skateboard
Park

Dennis

YFC has requested Council consideration to use the former Calwest Textile building for a community accessible skateboard park recreational facility.

We are advised by YFC that they have been in contact with the new owner, Mr. David Provincianno of Pro Body Parts and received authority to use the facility under certain conditions that included YFC assuming all liability and the City permitting the use.

The property is zoned M2 – Heavy Industrial District with the purpose of the district being to provide a wide range of industrial uses. Unfortunately, this zoning district does not permit or conditionally allow for use of the land for the services of a public or community nature as is envisioned by YFC.

Administration was instructed to review the Zoning By-law to determine if there was any way of allowing this proposed use on a temporary basis.

Administration has reviewed the issue of temporary uses and received additional information from Mr. Don Malinowski, Portage la Prairie Regional Manager, Manitoba Community Planning Office. Clauses 2 & 3, section 2 of Part 3 of the City Zoning By-law state:

- 2) A development permit for a temporary building, structure or use shall be subject to such terms and conditions as required by Council or the Development Officer.
- 3) Each development permit issued for a temporary building, structure or use shall be valid for a period of not more than six months and may not be renewed for more than two successive periods at the same location.

39/02 Moved by: Councillor Brennan
Seconded by: Councillor Quinn

RESOLVED THAT Youth for Christ be authorized to operate a skateboard park at 500 – 15th St. NW, legally described as Lot 1, Plan 35006 on a temporary use basis with the following conditions:

1. that the temporary use shall lapse June 30, 2002 and the use of 500 – 15th St NW as a skateboard park shall cease; and
2. that Youth for Christ comply with any building and fire code requirements, as specified by the Fire Chief and Manager of Building Inspections, necessary to use 500 – 15th St NW as a skateboard park.”

Carried.

40/02 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton

RESOLVED THAT a third clause be added as follows:

3. THAT YFC assume all liability and indemnifies and saves harmless the City of Portage la Prairie from use of this building as a skate-board park.

Carried.

Monthly Activity Reports –
for information only

Council reviewed the monthly activity reports.

Public Safety Committee

Your Worship, the Public Safety Committee respectfully submits the following reports:

Monthly Activity Reports –
for information only

Council reviewed the monthly activity reports.

Waterworks Committee

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

Mellenville Water Update –
for information only

Effective Monday, January 7, 2002 the “Boil Water Order” was lifted for all of Mellenville.

Estimated costs in relation to this occurrence are as follows:

Rebate for 255 homes	\$12,750
2 nd Rebate for 132 homes	\$3,300
2 nd Rebate for 123 homes	\$12,300
Overtime Salaries	\$5,733
Lab Tests	\$23,318
Travel	\$500
Misc.	\$2,000
Swabbing	\$3,500
Hydrant & Chlorination	\$4,500

TOTAL **\$67,901**

Committee reviewed the periodic advisories that were circulated to the applicable residents.

CEC Hearing Update – for
information only

Council received an update on the CEC hearings held December 11 & 13, 2001 and January 8 & 9, 2002.

Water Pollution Control Issue

Council reviewed this report in camera.

Monthly Activity Reports –
for information only

Council reviewed the monthly activity reports.

Transportation Committee

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

Grant In Aid Request
Kelly

The proposed 2002 Grant-In-Aid submission to Manitoba Department of Highways and Transportation includes the following projects:

Crescent Road Milling & Overlay
1st Street SW to 4th Street SW

Crescent Road Milling and Overlay
Kelly K Street W to 18th Street SW

7th Avenue West Overlay
3rd Street NW to 4th Street NW

Dust Control on Gravel Roads

41/02

Moved by: Councillor Tenzen
Seconded by: Councillor Brennan

RESOLVED THAT the Council of the City of Portage la Prairie submit a Grant-In-Aid request for a total of \$66,750.00 in the following

priority:

1. Dust Control on Gravel Roads (\$3,600)
2. Crescent Road Milling and Overlay – 1st Street SW to 4th Street SW (\$20,000)
3. Crescent Road Milling and Overlay – Kelly K Street to 18th Street SW (\$40,000)
4. 7th Avenue West Overlay – 3rd Street NW to 4th Street NW (\$3,150)

Carried.

Monthly Activity Reports –
for information only

Council reviewed the monthly activity reports.

Community Services

Your Worship, the Community Services Committee respectfully submits the following reports:

LaVerendrye Parent Advisory
Council – Request for an
Outdoor Rink Grant
Jennifer

The City of Portage la Prairie's Outdoor Rink Grant Policy has been in effect since 1998 and is due for review in February 2002. The purpose of the policy is to provide a maximum grant of \$500 to assist neighbourhoods create and maintain an outdoor skating rink. The La Verendrye School Parent Advisory Council (PAC) has completed an application for the Outdoor Rink Grant. The students, staff and parents have proposed a snow clearing and flooding schedule. Supervision will be the responsibility of the teachers during school hours and the parents of students who are skating would take responsibility after school hours. This is the fourth year that the PAC has applied for the Outdoor Rink Grant and they have successfully provided an outdoor skating venue each year. The PAC has submitted the required information to be considered for the grant.

42/02

Moved by: Councillor Tenzzen
Seconded by: Councillor Quinn

RESOLVED THAT Council of the City of Portage la Prairie approve the request for grant funding in the amount of up to \$405.00 to the La Verendrye School Parent Advisory Council as per policy #ECD-CD-AB Outdoor Rink Grant Policy.
Carried.

Bingo Hall – In Camera

Council reviewed a report on the bingo hall in camera.

Monthly Activity

Council reviewed the monthly activity reports.

DEFERRED BUSINESS:

None

NEW BUSINESS:

OLD BUSINESS

Signing of Portage Select
2003 Agreement
Jennifer

Administration prepared and reviewed an agreement with the Portage Select 2003 Committee as per their requests to host the 2003 Manitoba Men's Curling Championships February 12 – 16, 2003. The agreement has been signed by Mr. Dave Patsack, representative of the Portage Select 2003 Committee, and now requires the final signatures from the appropriate City representatives.

The terms of the agreement are based on a rental fee of \$10,000 (inclusive of the GST), for the exclusive use of the Portage Centennial Arena from February 12 – 16, 2003. The agreement also includes the services of the City to remove the tempered glass and to acquire and install temporary flooring in exchange for a Platinum or greater level of sponsorship to be recognized on Saturday, February 15, 2003. Mr. Patsack has stated that the terms of the Platinum sponsorship have not yet been determined, but will be submitted at a later date for review. Portage Select 2003 understands that they are required to apply for a Community Event Permit in 2003 to provide sale of liquor during the

event.

43/02 Moved by: Councillor Tenszen
Seconded by: Councillor Hamilton

RESOLVED THAT Council of the City of Portage la Prairie authorize the Mayor and Manager of Administration to sign the agreement with the Portage Select 2003 Committee for the exclusive use of the Portage Centennial Arena at a rental cost of \$10,000, inclusive of GST, for the purpose of hosting the Manitoba Men's Curling Championship February 12 – 16, 2003.
Carried.

44/02 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton

RESOLVED THAT the Council of the City of Portage la Prairie rescind third reading of By-Law 02-8133.
Carried.

45/02 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton

RESOLVED THAT By-Law 02-8113 be amended to make March 16, 2002 the effective date for Section 8.c of Schedule "A" regarding parking tickets.
Carried.

46/02 Moved by: Councillor Quinn
Seconded by: Councillor Hamilton

RESOLVED THAT By-Law 02-5133 as amended be read a third time, finally passed, signed & sealed.
Carried.

ADJOURNMENT

47/02 Moved by: Councillor Tenszen
Seconded by: Councillor Hamilton

RESOLVED THAT there being no further business to discuss, the Council meeting adjourn at 6:45 p.m.