

Minutes of a Regular Meeting of Council held in the Council Chambers on Monday, April 14th, 2003 at 6:07 p.m.

PRESENT: Councillors Keryluk, Robinson, Quinn, Brennan and Wagner with Mayor Ian MacKenzie in the Chair.

ABSENT: None

MINUTES OF MEETING: 90/03 Moved by: Councillor Wagner
Seconded by: Councillor Quinn
RESOLVED THAT the minutes of the regular Council meeting held on March 24, 2003 at City Hall in Portage la Prairie be approved as circulated.
Carried.

DELEGATIONS:

Save the Railway Station Committee Vic Edwards made a presentation to Council on behalf of the Committee and outlined their plans for renovating the 110 year old station into a museum. The Committee has plans for fundraising and has asked the City for assistance.

ANAF Chairlift Mr. John Gillis, representing ANAF 13, approached Council requesting to be allowed to keep the chairlift they had installed in October 2002 and which does not meet the standards of the Fire and Building Codes. The group erroneously assumed that the contractor had obtained a building permit and had checked the installation with the Fire Department. Mr. Gillis was advised that the City cannot waive the requirements of the Fire Code.

PCI Reunion 2005 Ryan Muirhead, representing the PCI Reunion 2005 Committee, advised Council of their plans for the reunion, and indicated they would be approaching the City for the use of the Arena for Friday, July 8, 2005, and for whatever permission is required for their parade on Saturday, July 9, 2005.

HEARINGS: None

CORRESPONDENCE: The correspondence for this period was reviewed.

COMMITTEES:

Finance, Legislative & Property Committee: Your Worship:
The Finance, Legislative & Property Committee respectfully submits the following reports:

By-Law 03-8177 Unpaid Water & Sewer to Taxes for March, 2003 – 1st Reading This is part of the normal monthly procedure to allow unpaid water and sewer accounts to be added to property taxes.

Nettie 91/03 Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED THAT By-Law 03-8177 being a by-law to authorize unpaid water and sewer charges be added to taxes be read a first time.
Carried.

Parking Ticket Collection Process – For Information Only The current collection procedure for parking tickets is as follows:

- Accounts over 30 days - first notice
- Accounts over 60 days - second notice indicating if account not paid within 30 days the City of Portage la Prairie will begin collection procedures.
- After 90 days collection procedures will commence.

In October 2000 Council approved an initiative to increase collection efforts for outstanding parking tickets by including a notice of outstanding parking ticket information over \$100 and over 60 days in the local paper on a bi-annual basis. The information was posted in the local paper twice in 2001 but did not

generate a significant response.

As of March 5, 2003 outstanding parking tickets totalled \$88,676, with \$75,000 over 90 days outstanding. This has grown by \$15,000 (approximately 750 tickets) from 2001. The city's collection agent collects about \$5,000 per year in parking tickets on our behalf. Their collection fee is 1/3 of the collected amount.

Options

1. Turn over the large offenders with accounts of \$500 and over to the City's lawyer as per policy.

However, another alternative needs to be considered when addressing the collection of the smaller accounts.

2. Consider the Tow/Lien option.

Towing is a possibility in Portage la Prairie if the local towing companies are willing to perform this service. Process Servers would also be required - (Orion and the Sheriff are the only process servers in Portage la Prairie). As well, to file the liens and co-ordinate towing of vehicles would require extra staff time (.25 to .5 of full time hours in the first year, reducing as collections are made).

3. "Boot" the vehicle

An American based company called "Pit Bull Tire Lock" has a tire locking device (commonly called "boot") to attach to a tire that will prohibit the offender from driving away. The company offers the device with a key lock.

A process could be developed to outline the parameters for the initiation and removal of the device. The cost to operate this would be approximately \$800 CDN per boot plus any extra service fee for Orion to boot the vehicle.

The City lawyer has reviewed this method and advised that it is legally acceptable.

4. Make payment easier and convenient through On-line payment.

According to the collecting company, there is an average increase in collection of 17-20% of parking tickets through this option.

The new accounting system is adding a virtual city hall module this year that enables on-line access to accounts. Once the parking ticket module is complete, Finance will consider expanding the virtual city hall to include on-line payments (in 2004 or 2005) for specific charges.

5. Lobby for Provincial Control

Council passed a motion on March 10, 2003 to petition AMM to "lobby the government to enact legislation to restrict re-issuance of personal or vehicle licenses until restitution for such liabilities is completed."

Council requested that Administration obtain more information on towing vehicles for unpaid parking fines. Council was also informed that the Province of Ontario requires municipal parking fines to be paid before licenses can be renewed.

By-Law No. 03-8184 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. This By-Law was given 1st Reading on March 24th.

RESOLVED THAT By-Law No. 03-8184 to set up a line of credit with the City's financial institution be given 2nd Reading,
Carried.

THAT By-Law No. 03-8184 be given third reading, finally passed, signed and sealed.

Carried.

In Favor: Mayor MacKenzie, Councillors Quinn, Robinson, Brennan, Wagner and Keryluk.

Council Meal and Allowance
Per Diem

Council discussed this matter in camera.

Debt Management Plan 2003

Council agreed to meet on April 7th at 7:30p.m. to discuss the Debt Management Plan further.

Acquisition of Building

Council discussed this matter in camera.

**City Planning & Economic
Development Committee**

Your worship:

The City Planning & Economic Development Committee respectfully submits the following reports:

Youth Career Opportunity
Expo – For Information Only

Council reviewed the Youth Career Opportunity Expo report. Councillor Brennan extended congratulations to the Economic Development staff on the success of this event.

Tourism Advisory Committee
Appointment (TAC) for the
Portage and District Chamber
of Commerce

The purpose of the TAC is to encourage tourism development within the City of Portage la Prairie and tourism providers in order to attract more tourists, increase their length of stay, and increase the volume of tourism products.

At the meeting between the City of Portage la Prairie and the Portage and District Chamber of Commerce on March 3, 2003, the Chamber requested that Council consider membership to the TAC for a representative of the Chamber of Commerce.

Section 4.0 of the TAC Terms of Reference states: "The TAC will consist of Portage la Prairie City residents who demonstrate willingness to assist the City of Portage la Prairie in meeting their tourism development objectives. Each appointed member will not be a representative of the organization in which they are employed, but rather, will provide expertise representing a cross-section of the service sector, and tourism related industry.

If Council intends to create a specific seat on the TAC for a representative of the Chamber of Commerce, the Terms of Reference for the TAC committee must be amended to allow for this membership, as all positions for the 2003-2004 year have been filled.

By amending the terms of reference to allow an organization to have a specific position on the TAC, Council may be setting a precedent that would allow other interested organizations in the City to have the same privilege.

Since this issue directly impacts the TAC, it would be appropriate to direct this matter to them for review and recommendation.

Dean

93/03

Moved by: Councillor Brennan

Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie refer to the Tourism Advisory Committee the matter of Portage and District Chamber of Commerce representative for review and recommendation.
Carried.

By-Law 03-8186 Amendment

The City wishes to amend the Zoning By-law No. 7680, Part One – General,

to Zoning By-Law – CP 2/03
– 1st Reading

Section 4; Tables 5-1 and 5-2 of the Use and Site Requirements Tables in Part Five-Commercial of the said by-law; and Table 5-3 of the Use and Site Requirements Table in Part Five – Commercial of the said by-law by the adding following uses and definitions:

- ◆ adult entertainment facility:
- ◆ pawn brokerage
- ◆ recreational club facility:
- ◆ sports bar/lounge

These particular uses are not addressed in the current bylaw and are uses that have been identified by the public, Administration, or Council for inclusion.

As per section 42(1) of the Planning Act, Council shall indicate its intention to enact a zoning by-law amendment by giving first reading and proceeding with Public Notice.

Subsequent to Committee on March 24th, the draft By-Law has been changed to add Tattoo Parlors as a conditional use in all Commercial Zoning District.

Dean

94/03

Moved by: Councillor Brennan

Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie give By-Law No. 03-8186 first reading and provide public notices as defined in Section 42 (1) and (2) of the Planning Act.

Carried.

Chamber Request for City
Sponsorship at Manitoba
Chamber of Commerce
Annual General Meeting – For
Information Only

The Chamber has requested that the City consider purchasing a gold sponsorship for the above noted event. Cost of general sponsorships is \$1000 for gold and \$750 for silver with these funds going towards offsetting the costs of the Friday night dinner and entertainment, a hospitality suite, or centerpieces for the Manitoba Chambers AGM Banquet.

Another sponsorship opportunity is a donation (minimum \$50 value) to the silent auction or a \$350 hole sponsorship for the golf tournament.

This request is over and above the annual funding request that the City has provided the Chamber this fiscal year for \$7500.

Council requested that the Chamber of Commerce file an application for a hosting assistance grant and Council be advised of the amount that the Chamber would qualify for under this program.

Public Safety Committee

Your worship:

The Public Safety Committee has nothing to report.

Waterworks Committee

Your worship:

The Waterworks Committee respectfully submits the following reports:

RM of North Norfolk –
Request for Water

The City has been advised that the RM of North Norfolk cannot meet the demands for potable water from existing rural residential and livestock farms, with their existing treated water sources.

The Manitoba Water Services Board provides funding to municipalities for the purpose of supplying water and sewer infrastructure. One of the Manitoba Water Services Board's funding priorities includes providing treated water to rural areas. In October 2002, the City increased its commitment to the Cartier Regional Water System to 450,000 gallons (2 million liters) per day.

The Waterworks Committee indicated that they will arrange a meeting with the Manitoba Water Services Board and Council to further discuss this.

Water Treatment Plant 2002

Council reviewed the 2002 annual water plant report.

Annual Report – For
Information Only

Monthly Activity Report – For
Information Only

Transportation Committee

Proposed Upgrades – CP Rail
Crossings

Council reviewed the monthly activity report for February, 2003.

Your worship:

The Transportation Committee respectfully submits the following reports:

In the Fall of 2002, CP Rail and Transport Canada met with the City to briefly discuss potential upgrading the rail crossing on 3rd St NE by improving the automation of the control gates to improve safety and reduce vehicle delay at

the crossing. The actual benefits of the proposed upgrades have not been well defined.

The estimated cost of the upgrades is \$199,000 at 3rd St. and \$225,000 at 8th St. The City is obligated to pay 12.5% of the cost (\$53,000) with the rail company responsible for 7.5% and Transport Canada paying the remaining 80%.

CP Rail and Transport Canada can be asked to attend a Council meeting to make a presentation regarding the proposed upgrades

Kelly

95/03

Moved by: Councillor Keryluk

Seconded by: Councillor Wagner

RESOLVED THAT CP Rail and Transport Canada be requested to attend a Council meeting to make a presentation on the proposed crossing upgrades at 3rd Street NE and 8th Street.

Carried.

CN Rail Train Speed – For
Information Only

Canadian National Railway has informed the City that they will be making changes to the maximum permitted train speeds as they exit the City eastbound, as of April 1, 2003.

Currently they restrict the tail end of each train to 50 km/h at Stephens Avenue. CN trains will now begin to speed up as the engine crosses Stephens Avenue.

The benefit to City motorists will be reduced delay at the rail crossing within the City.

CN Rail has indicated that they do not require Transport Canada's approval, nor the City's approval, to make this speed change.

Award of Tender – Granular
Materials

This tender was advertised in the Daily Graphic and closed on March 11, 2003 with two companies submitting bids. The materials and quantities asked for are used for maintaining gravel roads, winter sand for slippery conditions, as well as pit run gravel and fill sand for necessary excavations.

The 2003 budget is \$83,700, including 3% GST. This budget amount is made up of both municipal and utility accounts. The low bid is \$76,990 net of GST rebate. This bid comes in approximately \$6710 below budget.

Quantities may vary due to weather conditions, road conditions, or the amount of excavations needed to be carried out in the course of the year

Kelly

96/03

Moved by: Councillor Keryluk

Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie award the tender for the Supply of Granular Materials as specified in tender 003 OPS, to D. Humiski Trucking, for the tendered price of \$79,980, GST included.

Carried.

Residential Composter
Program

The City of Winnipeg has made an offer to the City of Portage la Prairie to participate in its second annual residential composting unit promotion. The offer

involves reserving 200 composters, at a subsidized cost of approximately \$25 to \$30 per unit, for the City of Portage la Prairie, with the requirement that the City of Portage la Prairie also sells the units at the purchase price. The Manitoba Product Stewardship Corporation is subsidizing the sale of the units at a rate of 10%, as is the City of Winnipeg (paid directly to the manufacturer).

The residential composters are intended to divert residential organic waste, such as kitchen waste, grass clippings, and leaves, from the landfill. Various studies have concluded that approximately 25% of residential waste is kitchen waste which could be composted. It is estimated that up to 150kg of kitchen waste can be diverted from the landfill for each composter used.

If all composting units are sold, the net cost to the City would be in promotion only. The City has a budget of \$2000 for promotion of residential waste reduction programs.

Kelly 97/03 Moved by: Councillor Keryluk
Seconded by: Councillor Wagner
RESOLVED THAT Council authorize the purchase of 200 residential composting units from Norseman Plastics for resale to the residents of the City of Portage la Prairie at the purchase price, and that up to \$1500 be spent on promotion
Carried.

Community Services Committee

Your worship:
The Community Services Committee respectfully submits the following reports.

Recreation Connections
Conference Final Report –
For Information Only

The February 2003 provincial Recreation Connections Manitoba Inc. conference was held in the City of Portage la Prairie at the Canad Inn. This was the second consecutive year that the conference was held in Portage La Prairie and was again successfully received by organizers, exhibitors and delegates. The conference welcomed over 200 delegates, 24 exhibitors and dozens of speakers over the three day conference.

Canadian Pacific Railway
Heritage Park and Museum
Capital Request

The total restoration project has been estimated to cost \$148,000. Other potential funding sources include CPR \$75,000 (51% of the total project cost), the Rural Municipality of Portage la Prairie \$10,000 (7%), the Community Foundation of Portage la Prairie \$10,000 (7%), and Provincial and Federal grants \$18,000 (12%). The committee has requested \$35,000 (or 24% of the total project cost) from the City of Portage la Prairie. The other funding sources have not yet confirmed their contributions.

Capital funding requests of this nature have normally been considered during regular budget deliberations. Critical repairs to the facility are underway, however the major renovation is anticipated to begin summer 2003 and the committee hopes to have funding sources confirmed by mid May.

In the request, the committee also makes reference to operational funding that would be required for the *Canadian Pacific Railway Heritage Park and Museum*. The City of Portage la Prairie was identified as a possible revenue source.

Monthly Activity Report – For
Information Only

Council reviewed the monthly activity report for February, 2003.

DEFERRED BUSINESS:

None

NEW BUSINESS:

Councillor Quinn advised that any nominations for the Canadian Post Literacy Award need to be submitted by May 30, 2003.

OLD BUSINESS:

RM Loan through Debentures

By formal agreement, the City has agreed to administer the Rural Municipality

– Issue Series “E” By-Law
03-8170 – 2nd & 3rd Reading

of Portage la Prairie’s share of costs and land purchase for the Simplot projects through the issuance of debentures. In accordance with the agreement, the RM reimburses the City for the annual debenture payments.

By-Law 01-8095 was approved by Council and approved by the Municipal Board to authorize debentures for the RM amounting up to \$4,800,000. Construction has been ongoing since last year. The issuance of a 15 year debenture dated for March 1, 2003 in the amount of \$1,100,000 on behalf of the RM is now required. This will bring the total issuance of debt on behalf of the RM to \$4,600,000.

Each debenture issue requires a separate by-laws to amend the initial by-law’s payment schedule and first reading prior to submission to the Municipal Board for their approval. The Municipal Board approved the amending by-law on April 2, 2003.

The by-law is now ready for 2nd & 3rd reading.

Nettie

98/03

Moved by: Councillor Quinn

Seconded by: Councillor Robinson

RESOLVED THAT By-Law No. 03-8170 to amend By-Law 01-8095 for debentures on behalf of the RM to allow for the issuance of \$1,100,00 in debentures be given 2nd Reading.
Carried.

THAT By-Law No. 03-8170 be given 3rd and final reading, finally passed, signed and sealed.
Carried.

In Favor: Mayor MacKenzie, Councillors Quinn, Robinson, Brennan, Wagner and Keryluk.

RM Loan through Debentures
– Issue Series “F” By-Law
03-8174 2nd & 3rd Reading

By formal agreement, the City has agreed to administer the Rural Municipality of Portage la Prairie’s share of costs and land purchase for the Simplot projects through the issuance of debentures. In accordance with the agreement, the RM reimburses the City for the annual debenture payments.

By-Law 01-8095 was approved by Council and approved by the Municipal Board to authorize debentures for the RM amounting up to \$4,800,000. Construction has been ongoing since last year. The issuance of a 15 year debenture dated for April 1, 2003 in the amount of \$200,000 on behalf of the RM to the maximum set at \$4,800,000.

Each debenture issue requires a separate by-law to amend the initial by law’s payment schedule and first reading prior to submission to the Municipal Board for their approval.

The Municipal Board approved the amending by-law on April 2, 2003. The by-law is now ready for 2nd & 3rd reading.

Nettie

99/03

Moved by: Councillor Quinn

Seconded by: Councillor Robinson

RESOLVED THAT By-Law No. 03-8174 to amend By-Law 01-8095 for debentures on behalf of the RM to allow for the issuance of \$200,000 in debentures be given 2nd Reading.
Carried.

THAT By-Law No. 03-8174 be given 3rd and final reading, finally passed, signed and sealed.
Carried.

In Favor: Mayor MacKenzie, Councillors Quinn, Robinson, Brennan, Wagner and Keryluk.

ADJOURNMENT:

The meeting be adjourned at 7:17p.m.
Carried.

Mayor

Manager of Administration