

Minutes of a Regular Meeting of Council held in the Council Chambers on Monday, August 25th, 2003 at 6:02 p.m.

- PRESENT:** Councillors Brennan, Keryluk, Porter, Robinson, Quinn, and Wagner with Mayor Ian MacKenzie in the Chair.
- ABSENT:** None
- MINUTES OF MEETING:** 217/03 Moved by: Councillor Wagner
Seconded by: Councillor Quinn
RESOLVED THAT the minutes of the regular Council meeting held on August 11, 2003 at City Hall in Portage la Prairie be approved as circulated. Carried.
- HEARINGS:** None
- DELEGATIONS:**
- Signs on Private Property Mr. Richard Sareault appeared before Council to request that he be allowed to maintain his sign advertising his Luxury Spa Rental business. The sign is not allowed under the City's Zoning By-Law in a UR Urban Reserve district. In addition, Mr. Sareault's home-based business is non conforming under the Zoning By-Law.
- Maintenance & Occupancy By-Law No. 02-8144 Mr. Wilf Zimmer was unable to attend the meeting and Councillor Ken Brennan acted as his spokesperson. Mr. Zimmer was objecting to a Notice of Violation under the Maintenance & Occupancy By-Law. He has partially complied with the Order, and is requesting permission to keep the remaining two vehicles on two trailers.
- CORRESPONDENCE:** The correspondence for this period was reviewed.
- COMMITTEES:**
- Finance, Legislative & Property Committee:** Your Worship:
The Finance, Legislative & Property Committee respectfully submits the following report:
- Unpaid Water & Sewer to Taxes for July, 2003 – By-Law 03-8191 – 2nd & 3rd Reading This is part of the normal monthly procedure to allow unpaid water and sewer accounts to be added to property taxes.
- 218/03 Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED THAT By-Law No. 03-8191 being a by-law to authorize unpaid water and sewer charges be added to taxes, be read a second time. Carried.
- THAT By-Law No. 03-8191 be read a third time, finally passed, signed and sealed.
Carried.
- In Favour: Mayor MacKenzie, Councillors Brennan, Keryluk, Porter, Quinn, Robinson and Wagner.
- Adding Unpaid Trailer License to Taxes – By-Law 03-8202 – 2nd & 3rd Reading 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 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.

219/03 Moved by: Councillor Quinn
 Seconded by: Councillor Robinson
 RESOLVED THAT By-Law No. 03-8202 being a by-law to authorize the unpaid 2003 trailer license fees as per schedule "A" be added to taxes, be read a second time.
 Carried.

THAT By-Law No. 03-8202 be read a third time, finally passed, signed and sealed.
 Carried.

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

Second Quarter Forecast

Financial Results for the first six months of 2003 forecast a year-end surplus in the General Operating Fund of \$9,363. The General Operating Fund contains the following significant variations between budget and forecast:

Increase in Interest Income	\$30,000
Increase in Fire Recoveries	\$26,000
Decrease in Criminal Record Checks	(\$24,000)
Decrease in Engineering Salaries	\$29,000
Increase in Tipping Fee Revenues	\$28,000
Increase in Manitoba Product Stewardship Revenues	\$22,000

A year-end surplus in the Utility Operating Fund of \$89,546 is forecast. The Utility Operating Fund contains the following significant variations between budget and forecast:

Increase in Interest Income	\$25,000
Decrease in RM Taxes	\$91,000
Prior Year's Capital Interest Revenue	\$42,000
Decrease in WTP Salaries	\$22,000
Increase in WTP Chemicals	(\$89,000)
Increase in Water Main Salaries	(\$38,000)
Decrease in Sewer Main Equipment Rentals	\$21,000
Decrease in Secondary Treatment Hydro Costs	\$20,000

220/03 Moved by: Councillor Quinn
 Seconded by: Councillor Robinson
 RESOLVED THAT the Financial Statement and Forecast for the six months ended June 30, 2003 be adopted.
 Carried.

Debenture Authorization –
 Industrial Park Access – By-
 Law 03-8199 – 2nd & 3rd
 Reading

The Debenture authorization by-law for the construction of the North East Transportation Route (Industrial Park access) received first reading on June 23, 2003. It allows for debenture issues for this project to a maximum of \$1,000,000.00.

The project is estimated at a cost of \$3.4 million dollars cost shared between the City, Rural Municipality and the Prairie Farm Rehabilitation Association (PFRA). The City's share is estimated at \$935,000.00.

The Debenture authorization by-law was approved by the Municipal Board and is now ready for 2nd & 3rd reading. Once debt is required, another by-law will be required to issue the debt and release the funds.

221/03 Moved by: Councillor Quinn
 Seconded by: Councillor Robinson
 RESOLVED THAT By-Law No. 03-8199 authorizing the City's request for debentures in the amount of \$1,000,000.00 be given second reading with the

amendment to change wording in the fourth line of Clause No. 4 from
“December 1” to “December in”.
Carried.

THAT By-Law No. 03-8199 be given 3rd reading, finally passed, signed and
sealed.
Carried.

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

Council reviewed the monthly activity reports for July, 2003.

Monthly Activity Reports for
July, 2003 – For Information
Only

**City Planning & Economic
Development Committee**

Your worship:
The City Planning & Economic Development Committee respectfully submits the
following report:

Tourism Awareness Week –
For Information Only

Council reviewed the Tourism Awareness Week report for information only.

Allocation of Funding for
Recreation Facility Signs

The City of Portage la Prairie recently awarded the Beverage Service
Agreement for the Portage Centennial Arena, Splash Island and Republic of
Manitobah Park to Coca-Cola Bottling Group (Coke) for a five year term. In
the proposal, Coke agreed to supply a one time monetary gift to be used at the
sole discretion of the City. Also included in the proposal was the installation of
a messaging board at Splash Island. Final details of the contract are being
reviewed before this agreement is signed by both parties.

There is the opportunity to enhance the electronic messaging board with an
“Explore Island Park” sign and directional signage below to include park
amenities. The Tourism Advisory Committee has identified the need for
directional signage at Island Park and therefore this initiative does fall within
that group’s objective. This park sign will be seen from as far as Crescent
Road to attract and direct visitors to our beautiful park and provide the
opportunity to market special events and attractions. The sign will be visible
day and night as the sign will be lit.

The cost of the messaging board is approximately \$14,000, which is being paid
for by Coke as per the agreement. The development of an additional “Explore
Island Park” sign is estimated to be \$5,500 plus installation. Construction for
the message board has commenced and it is estimated that the message board
will be installed by the end of August 2003. Therefore, it would be timely to
complete this project to include a lit park sign with directional signage
simultaneously. Neither this item, nor the revenue, was budgeted for.
However, the funding supplied by Coke in the Beverage Service Agreement
does present a funding opportunity to complete this initiative.

Since the Beverage Service Agreement with Coke was to supply and service
recreational facilities (Portage Centennial Arena, Splash Island and the
Republic of Manitobah Park), the \$10,000 monetary gift could also be applied to
enhance related recreation facility projects, such as is being presented.

222/03

Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve
the allocation of the \$10,000 as provided by the Coco-Cola Bottling Group to the
City for the purpose of developing facility identification signage related to Island
Park as presented.

Carried.

Tourism Opportunity

Council reviewed the report for information only.

Identification Roundtable
Public Meeting – For
Information Only

Monthly Activity Reports for
July, 2003 – For Information
Only

Public Safety Committee

Lake Manitoba – Search and
Rescue Policy

Council reviewed the monthly activity reports for July, 2003.

Your worship:
The Public Safety Committee respectfully submits the following report:

It has been determined that the City of Portage la Prairie and the Rural Municipality of Portage la Prairie have no legal responsibility for search and rescue on Lake Manitoba.

In discussions with the Office of the Fire Commissioner, Manitoba Emergency Measures Organization and the RCMP it has been determined that the responsibility for this is with the RCMP.

The proposed policy clearly states who is responsible and what assistance and direction the Emergency Services Division shall take in event of a report/request for assistance regarding a Search and Rescue on Lake Manitoba.

223/03

Moved by: Councillor Wagner
Seconded by: Councillor Quinn

RESOLVED THAT the Council of the City of Portage la Prairie approve the Lake Manitoba Search and Rescue policy.
Carried.

Monthly Activity Reports for
July, 2003 – For Information
Only

Waterworks Committee

Monthly Activity Reports for
July, 2003 – For Information
Only

Transportation Committee

Monthly Activity Reports for
July, 2003 – For Information
Only

**Community Services
Committee**

Dutch Elm Disease
Agreement

Council reviewed the monthly activity reports for July, 2003.

Your worship:
The Waterworks Committee respectfully submits the following report:

Council reviewed the monthly activity reports for July, 2003.

Your worship:
The Transportation Committee respectfully submits the following report:

Council reviewed the monthly activity reports for July, 2003.

Your worship:
The Community Services Committee respectfully submits the following report:

The City of Portage la Prairie and the Province of Manitoba enter into an agreement under the Dutch Elm Disease Act each year for the period of April 1 to March 31. The Act allows for the sharing of actual costs up to \$0.50 per capita.

Eligible costs include the pruning and replacement of diseased elm trees, basal spraying and general tree care. The estimated cost of the City program is \$20,500.00.

This program is critical to the maintenance of the urban forest and has assisted in the preservation of existing elms.

All work must be completed by March 26, 2004, and claims must be submitted

by March 31, 2004.

224/03 Moved by: Councillor Porter
Seconded by: Councillor Brennan

RESOLVED THAT the Council of the City of Portage la Prairie enter into an agreement with the Province of Manitoba for the cost-sharing of the Dutch Elm Disease Control Program for 2003/2004.
Carried.

Awarding of Arena
Advertising Tender and
Awarding of Concession
Operation Tender

The City of Portage la Prairie's existing agreements for the concession services and the advertising rights in the Portage Centennial Arena will expire August 31, 2003. The Portage & District Terriers have been operating the concessions and Portage Ringette Inc. have had the rights to advertising in the Centennial Arena since August 2000.
Tenders were advertised publicly July 18, 2003.

The Concession Operation tender offers the opportunity to manage all food services for the Portage Centennial Arena. The contractor is responsible for all aspects of food operation during a three year agreement and is required to comply with standards established by the Manitoba Health Regulations. The Contractor must be bondable or incorporated and is required to maintain sufficient public liability insurance in the amount of \$2,000,000 naming the City as a co-insured. The contractor is also expected to abide by any agreements with product suppliers that have been entered into by the City.

The Arena Advertising tender grants to the contractor the exclusive right to place advertisements in the Portage Centennial Arena Complex for a three year agreement subject to existing agreements or arrangements respecting advertising in the arena. The contractor is responsible for all costs required to maintain advertising signs to the standards required by the City and is responsible to restore the facility to its original condition should advertising be removed. The contractor must also be incorporated or otherwise authorized to do business in Manitoba and must comply with all rules, regulations, policies, bylaws and resolutions of the City, and the Province of Manitoba.

One bid for each tender was submitted for consideration and opened publicly on Friday, August 1, 2003. The Portage & District Terriers submitted their bid July 30, 2003 which proposed a monthly rental rate of \$750 (seven hundred and fifty) for the Concession Operation. This is the same rental rate paid in the previous agreement. Portage Ringette Inc. submitted their bid July 29, 2003 which proposed an annual rental rate of \$500 (five hundred), also the same rate as their previous agreement. Portage Ringette Inc. has also indicated that they would be working with the Portage & District Terriers on arena advertising as they have done in the past.

225/03 Moved by: Councillor Porter
Seconded by: Councillor Brennan

RESOLVED THAT the Council of the City of Portage la Prairie award the Arena Concession Operation at the Portage Centennial Arena to the Portage & District Terriers as submitted for a three year term commencing September 1, 2003 and ending August 31, 2006.

THAT the Council of the City of Portage la Prairie award the Arena Advertising rights at the Portage Centennial Arena to Portage Ringette Inc. as submitted for a three year term commencing September 1, 2003 and ending August 31, 2006.
Carried.

Monthly Activity Reports for
July, 2003 – For Information
Only

Council reviewed the monthly activity reports for July, 2003.

DEFERRED BUSINESS: None

NEW BUSINESS:

Odd Fellows Towers – Paving Request

Earlier this summer, the Board of Directors of Odd Fellows Towers Inc. submitted a request to Council to consider cost-sharing the paving of a portion of the lane behind Odd Fellows Towers, 151 Royal Road North. Council defeated the motion and The Board now intends to proceed with the project at their cost.

KC Paving, the Odd Fellows Towers' paving contractor indicated that he intends to shape the existing gravel lane to permit proper drainage and overlay it with asphalt. At this point, it appears that Odd Fellows Towers does not intend to prepare a design drawing or construct the lane to the standards of a typical residential street or parking lot.

The lane has been well maintained by the City for many years and it is in good condition, and it would likely provide a good base for asphalt. Drainage from low points to the south to Fisher Avenue is a concern and a drainage design must be prepared in order to prevent/reduce ponding on private property to the south.

The normal process for such a request would be for the City to manage the project as a Local Improvement. The City would design the Local Improvements to current standards and manage the construction. The City's Operation Department does not have any objection to allow Odd Fellows to pave this portion of the back lane as long as the paving plans are pre-approved by the City.

226/03

Moved by: Councillor Keryluk
Seconded by: Councillor Robinson

RESOLVED THAT Council grant permission to Odd Fellows Towers to pave the portion of the back lane at the Odd Fellows Towers Inc., subject to plans for the paving and drainage being submitted for approval by the City's Operation Department.
Carried.

#3 Meighen, #40 Bridge Road Sewer Services

Jim Hancock has submitted a request for sewer servicing for his home and also on behalf of Mr. Cote at #3 Meighen Ave.

These two properties currently have septic fields that encroach onto the City public reserve north of Garrioch Creek and south of Meighen Avenue between Bridge Road and Prout Drive. There should be no need to remove the piping in the septic fields.

227/03

Moved by: Councillor Robinson
Seconded by: Councillor Keryluk

RESOLVED THAT Council authorize Jim Hancock and Roland Cote to install sewer service lines, in accordance with the approved plans and specifications, across the Public Reserve bounded by Bridge Road, Prout Drive and Garrioch Creek.
Carried.

Maintenance & Occupancy By-Law 02-8144

228/03

Moved by: Councillor Brennan
Seconded by: Councillor Porter

RESOLVED THAT Council maintain the order with regards to the Zimmer property for clarification for our By-Law officer.
Carried.

Closure of Lanes/Transfer of Property – By-Law No. 03-8204 – 1st Reading

On June 23, 2003, Council passed Resolution No. 163/03 agreeing to sell the following lands for \$3000:

- a) Lanes in Blocks 5 and 6, Plan 407;
- b) Sutherland Street between Alexander and Ogiltree Avenues; and

- c) Lots 33 and 34, Block 5, Plan 407.

The Municipal Act outlines the procedure that must be followed to close the street and lanes, and to transfer the property to the purchaser, as follows:

- a) road closing by-law is given first reading;
- b) after first reading, the by-law is circulated to government agencies and utilities that may be impacted by the by-law, for their comments;
- c) public notice is given at least twice, and at least six days apart, in the local newspaper during the period starting 40 days before the hearing and ending seven days before the hearing;
- d) after the hearing, Council may give 2nd and 3rd readings to the by-law;
- e) by-law is then submitted to the Minister of Intergovernmental Affairs for approval
- f) by-law is submitted to the Land Titles Office for registration

Although it may take three to four months to complete, the Municipal Act is very specific that the procedure outlined above must be followed. Giving first reading to the by-law will begin the process.

229/03

Moved by: Councillor Quinn

Seconded by: Councillor Robinson

RESOLVED THAT By-Law No. 03-8204 being a by-law to close that portion of the municipal road shown on a plan prepared by David McBurney (Sutherland Street and lanes), and to transfer said property to William Kent, be now introduced and read a first time.

Carried.

OLD BUSINESS:

None

ADJOURNMENT:

The meeting be adjourned at 6:59 p.m.

Carried.

Mayor

Manager of Administration