

Minutes of a Regular Meeting of Council held in the Council Chambers on Monday, January 27, 2003 at 6:09 p.m.

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

ABSENT: None

MINUTES OF MEETING: 11/03 Moved by: Councillor Brennan
Seconded by: Councillor Quinn
RESOLVED THAT the regular minutes of the Council meeting held on January 13, 2003 at City Hall in Portage la Prairie be approved as circulated.
Carried.

DELEGATIONS: None

HEARINGS: **Conditional Use** – Dr. Tammy Dunbar
No one appeared in support of or opposition to this application.

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 02-8168 – Unpaid Water & Sewer for November, 2002 – 2nd & 3rd Reading
Tieny/June

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

12/03 Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED THAT By-Law 02-8168 being a by-law to authorize unpaid water & sewer charges to be added to taxes be read a second time.
Carried.

THAT By-Law 02-8168 be read a third time, finally passed, signed, and sealed.

Carried.

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

By-Law 02-8169 – Unpaid Water & Sewer for December, 2002 – 2nd & 3rd Reading
Tieny/June

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

13/03 Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED THAT By-law 02-8169 being a by-law to authorize unpaid water & sewer charges be added to taxes, be read a second time.
Carried.

THAT By-Law 02-8169 be read a third time, finally passed, signed, and sealed.

Carried.

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

Adding Unpaid Trailer
Licenses to Property Taxes –
By-Law 03-8172 – 1st Reading

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.

Tiery/June

14/03 Moved by: Councillor Quinn
Seconded by: Councillor Robinson

RESOLVED THAT By-Law 03-8172 being a by-law to authorize the unpaid 2002 trailer license fees be added to taxes, be read a first time.
Carried.

RM Loan through Debentures
– Issue Series "D" – By-Law
02-8163 – 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.

Nettie

15/03 Moved by: Councillor Quinn
Seconded by: Councillor Robinson

RESOLVED THAT By-Law 02-8163 to authorize the issuance of a \$700,000 debenture on behalf of the RM or Portage la Prairie, being a by-law to amend By-Law No. 01-8095, be now amended as follows:

- In the 4th whereas clause by replacing the typing error "2,00,000.00" with the figure "2,000,000.00."
- In the 5th whereas clause, and in Clause 1, by removing "seven percent (6.75%)" and replacing it with "6.75%",

And be given second reading, as amended.
Carried.

THAT By-Law 02-8163 be given 3rd reading, finally passed, signed and sealed.

Carried.

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

Appointment of Weed
Inspector

It is a requirement of the Noxious Weeds Act that every municipality annually appoint a Weed Inspector and notify 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.

Marg

16/03 Moved by: Councillor Quinn
Seconded by: Councillor Robinson

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 Weed Inspector.

AND FURTHER THAT this appointment be conveyed to the Director of Soils and Crops Branch of the Department of Agriculture.

Carried.

2002 Board of Revision – For
Information Only

The 2002 Board of Revision was held on November 18, 2002 to hear ten appeals on the 2003 Assessment Roll. Of those appeals, two were on the 2002 Supplementals and one was on the 2001 Supplemental.

Marg
Nettie

One appeal for Wail Investments Ltd. (Fountain Tire), represented by Deloitte & Touche, was dismissed when no one appeared at the hearing.

The remaining appeals were all residential except for the Portage Evangelical Church who requested a classification change to Taxable

Exempt for their parking lot.

As a result of the 2002 Appeal Board, the total decrease in the 2003 assessment is \$17,600. The 2002 Supplementals show a decrease of \$11,400, and the 2001 Supplemental is decreased by \$8,800.

Dakota Tipi Agreements

Council reviewed this report in-camera

Citizen Appointments

Council reviewed this report in camera.

Kim

17/03 Moved by: Councillor Quinn

Seconded by: Councillor Robinson

RESOLVED THAT the Council of the City of Portage la Prairie approve the following Community Appointments:

Portage & District Hospital Foundation:

Hugh Owens

Community Policing Committee:

Joyce Dalmyn

George Kolisnyk

Victor Pidhurny

Darren Van Den Bussche

Glenn Carlson

Kari Vandenberg

Rob Froese

Beautification Committee:

Craig Dunn

William Plenty

Tourism Advisory Committee:

Craig Dunn

Ron Zuke

Randy Davison

Bob Johnson

Bob Fitchner

Tracey Wall

One Vacant Position

Library Board:

Marvin Krawec

Eva Shewchuk

Gary Little

One vacant position

Evelyn Braun

Bob Turner

Heritage Committee:

Percy Gregoire-Voskamp

Barry Bills

Eric Smith

Les Green

Marg Loewen

Will Pacholuk

La Salle Redboine

Val Sissons

Appointment of Ad-Hoc Committees:

Portage la Prairie Beautification Committee – Councillor Brian Tenszen

Central Plains Inc. – Councillor Ken Brennan

Carried.

Amendment to Fees &
Charges By-Law 03-8173 2nd
& 3rd Reading

The Fees and Charges for the Athletic Fields were under review for the 2003 budget year as the new fastball diamond would be completed and available for use at the Republic of Manitobah Park in the spring. Five baseball complexes were contacted to survey current rates charged for similar facilities; Brandon's Simplot Millennium Park, Winnipeg's Riel Diamonds, Headingly's John Blumberg, and Winkler and Stonewall Quarry Park. The rates were then calculated to determine the average charge for a similar facility and compared to the rates Portage was currently charging.

The Portage Baseball Ad-hoc Committee, who has successfully coordinated the development of the Republic of Manitobah diamond project, has also reviewed the athletic field fees and charges and provided further recommendation.

Similarly, the cost for lighting services for the new diamond at Republic of Manitobah Park were based on other similar facility charges. Some facilities included the use of the lights in their base rate, while others charged a separate light fee per game. The Simplot Millennium complex charged an hourly rate of \$10 for lighting, while Winkler charged only \$10 per game. Manitoba Hydro was contacted on November 7, 2002 who suggested that the cost for the lights at the one diamond would average \$3.00 - \$4.00/hour. Therefore, during a 3 hour scheduled game slot this would amount to \$9.00 - \$12.00.

Council gave first reading to By-Law 03-8173 on January 13, 2003. At that meeting, additional information was requested.

Council questioned the \$22.00 per cubic yard fee for disposal of hydrocarbonated soil. This fee has been reconsidered and it has been determined that the rate should be cost plus 30%.

In addition to the above, it is recommended that an additional fee be added to the by-law. It is anticipated that, because there are many gravel pits in the area, gravel trucks may want to weigh their vehicle/load that they are not dumping at the landfill. Based on other scale rates in the area, a charge of \$5.00, including GST, per weigh is recommended.

At the Council meeting of January 13, 2003, a question was raised regarding how the proposed tipping fee rate for small loads under 200 kg was developed.

The proposed tipping fee of \$5.00 per load under 200 kg is proposed for the following reasons:

1. It is in line with tipping fees in other communities
2. 200 kg is one fifth of a tonne, therefore, if the tipping fee for one tonne is set at \$25, then one-fifth of \$25 would be \$5.00
3. \$5 is a simple round number and is easier to make change for.

At an earlier meeting, Council had determined that the family swim rate, at both Southport and Splash Island, should remain at \$10.75 and not be increased as proposed. This information was inadvertently not corrected in the Fees & Charges By-Law and should be changed to reflect Council's decision.

Marg

18/03 Moved by: Councillor Quinn

Seconded by: Councillor Robinson

RESOLVED THAT By-Law 03-8173, being a by-law to amend the Fees & Charges By-Law No. 02-8166, be amended to include the following additional or amended clauses:

In Schedule "B"

- 1 (a) The fee payable for the disposal of waste, including GST, in the Solid Waste Disposal Site shall be:
- 1(a)(v) for disposal of hydrocarbon contaminated (less than 2000 mg/kg of total semi-volatile carbons) cost plus 30%
- 5 (g) delete clause and replace with "for weighing of vehicles (including GST) \$5.00

In Schedule "C" (page 21).

For Southport and Splash Island, the public swim family rate should be shown as \$10.75.

AND FURTHER THAT No. 03-8173 be now read a second time, as amended.
Carried.

THAT By-Law 03-8173 be now read a third time, finally passed, signed and sealed.
Carried.

- 19/03 Moved by: Councillor Keryluk
Seconded by: Councillor Robinson
RESOLVED THAT By-Law 03-8173 be further amended to reduce the tipping fees from \$5.00 to \$4.00.
Defeated.

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

Monthly Activity Reports

Council reviewed the monthly activity reports.

Current Project Lists

Council reviewed the current projects lists in camera.

City Planning & Economic Development Committee

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

Conditional Use – Dr. Tammy Dunbar – OVM

The applicant, Dr. Tammy Dunbar has applied for a conditional use to operate a Veterinary Clinic at the location known as 701 Fisher Avenue East. Dr. Dunbar plans on operating the clinic as a small animal clinic, and to renovating the premises for that use.

Dr. Dunbar has received the permission of the owner of the property, Gilles Plumbing & Trenching Ltd. to apply for this Conditional Use.

This building is located in a M1 – Light Industrial district.

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

Dean

- 20/03 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the conditional use application of Dr. Tammy Dunbar to operate a Veterinary Clinic at the property known as 701 Fisher Avenue East, which is legally described as Lots 2 & 3, Plan 2493, Parish of Portage La Prairie, subject to the following conditions:

- 1) That the applicant be required to undertake a building assessment to be conducted by the Fire Department and the Manager of Building Inspections and that any noted deficiencies be corrected to the sole satisfaction of the City of

Portage la Prairie prior to facility occupancy.

- 2) That the applicant provide the City with a set of renovation plans, in accordance with requirements of the Manitoba Building Code for review and approval in advance of Building Permit issuance.
- 3) That the use of the property for a Veterinary Clinic be limited to small animals only, of which determination shall be in the sole discretion of the City and failure to comply shall result in immediate termination of this conditional use permit.

Carried.

Press Release – Island of
Lights – For Information Only

Councillor Brennan read a Press Release regarding the Island of Lights.

Monthly Activity Reports

Council reviewed the monthly activity reports.

Chamber of Commerce

Councillor Wagner distributed the Chamber Minutes, and he brought forth the following dates for Council's consideration:
February 5, 2003 – Quarterly Luncheon
February 28, 2003 – Annual General Meeting

Public Safety Committee:

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

Monthly Activity Reports

Council reviewed the monthly activity reports.

Waterworks Committee:

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

Assiniboine River Monitoring
Study – For Information Only

Council reviewed an Information Report on the Assiniboine Monitoring Study.

Assiniboine River Watershed

The Clean Environment Commission recently held hearings regarding the new Simplot Canada potato processing plant and the expansion of the City's Water Pollution Control Facility. During the course of those hearings, there was a great deal of discussion focused around water quantity and quality of the Assiniboine River. The new Simplot potato processing plant will require 20,000 acres of irrigated potato land annually. If Simplot proceeds to phase 2 of their plant expansion by adding another processing line, there will be a requirement for an additional 20,000 irrigated acres.

The City and RM of Portage La Prairie, Simplot Canada and the Province of Manitoba are funding a study on water quality from Portage La Prairie to Headingly on the Assiniboine River. The Province of Manitoba and the City of Brandon are doing similar studies along the Assiniboine from Shellmouth Dam to Brandon and from Brandon to Portage La Prairie respectively.

These aforementioned studies should be reviewed in conjunction with existing studies already completed on the Assiniboine River and a comprehensive long term development plan created to address present and future municipal, industrial, agricultural and recreational uses of the Assiniboine River.

Kelly

21/03 Moved by: Councillor Robinson
Seconded by: Councillor Keryluk

RESOLVED WHEREAS there is no long term strategy for development of the Assiniboine River to maximize and protect the use of this natural resource within the watershed;
AND WHEREAS there are many stakeholders that rely on the Assiniboine River to provide water for municipal, industrial, agricultural

and recreational purposes;

THEREFORE BE IT RESOLVED THAT the Council of the City of Portage La Prairie request the Province of Manitoba to prepare a development strategy for current and future use of the Assiniboine River within the watershed to ensure the protection of this valuable natural resource.

Carried.

Water & Sewer to Massey
Crescent

The City of Portage la Prairie received a petition in 2002 from the residents of Massey Crescent to supply water and sewer services to the residents at Massey Crescent as a local improvement charge. The City is completing the lift station required to service the area at no cost to the residents.

The City approved the first plan and received approval from the Municipal Board. On September 23, 2002 the by-law authorizing the project received second and third reading. The cost per lot for the local improvement was estimated to be \$9,781.46. In addition to this residents must supply their own septic tank and pumps and water and sewer service lines from the property line to the residence.

The tender for the installation of the lines was received in December 2002 at rates much higher than estimated (\$58,000 more). The increase in cost estimates is attributed to upsizing of the sewer pipe during the detailed design phase, and underestimation of the installation costs, mainly due to conflicts with septic fields.

Due to this significant increase in cost estimates, the City is unable to award the tender. The local improvement plan must be revised to reflect the current amounts.

The revised local improvement plan estimates per lot are now \$13,868.90, an increase of \$4,087 per lot.

Upon Council's approval of this revised plan, Massey Crescent residents will each be notified of the costs and given an opportunity to object if they are not in favour of the local improvement plan. Since the local improvement will be funded by debenture, the Municipal Board must approve the by-law regardless of the number of objectors.

However, if at least two potential taxpayers object, the Municipal Board will hold a public hearing. If six or more of the potential taxpayers object to the plan, council may not proceed with the plan and cannot propose a similar project for two years.

The Municipal Board must approve the local improvement by-law before council gives it third reading.

Councillors Robinson and Keryluk met with residents from Massey Crescent to discuss their options for Sewer & Water. Information on the debentures is to be sent out to the residents.

Kelly
Nettie

22/03 Moved by: Councillor Robinson
Seconded by: Councillor Keryluk

RESOLVED THAT the Local Improvement Plan no. WS02-01-R3 to provide water and sewer services to Massey Crescent be adopted and sent to the Massey Crescent residents.
Carried.

Monthly Activity Reports

Council reviewed the monthly activity reports

Transportation Committee

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

Monthly Activity Reports

Council reviewed the monthly activity reports.

**Community Services
Committee**

Your worship:

The Community Services Committee respectfully submits the following reports.

Portage Collegiate Institute
2003 Safe Grad

Portage Collegiate Institute has used the Portage Centennial Arena for Safe Grad for the past eleven years. At each of these events there has been an Occasional Permit approved and there have been no major problems in regard to control or damage to the facility.

The request to smoke within the facility assists the Safe Grad Committee in controlling the participants and preventing incidents, which may occur if the Grads were to leave the building to smoke.

Provincial Legislation and Municipal By-Law No. 7321 does permit Council to allow smoking in public facilities, and Council has given permission to the Safe Grad Committee in the past. By-Law No. 7321 outlines that Council can permit the designation of a smoking area in the Portage Centennial Arena for a special event that is not athletic, sporting or a spectator event.

23/03 Moved by: Councillor Tenszen

Seconded by: Councillor Brennan

RESOLVED THAT the Council of the City of Portage la Prairie permit the Portage Collegiate Institute Safe Grad Committee to obtain an Occasional Permit for the Portage Centennial Arena on Wednesday, June 25, 2003, for the purpose of hosting their Safe Grad Event.

AND FURTHER THAT the Council of the City of Portage la Prairie permit smoking in the West Arena of the Portage Centennial Arena for the Portage Collegiate Institute Safe Grad in accordance with the City By-Law No. 7321.

Carried.

Monthly Activity Reports

Council reviewed the monthly activity reports.

Councillor Wagner inquired about the significant decrease in some of the public skating statistics when the service is free. Administration to look into this further. Upon closer observation, it appears the figures were the same as before.

DEFERRED BUSINESS:

None

NEW BUSINESS:

24/03 Moved by: Councillor Tenszen

Seconded by: Councillor Wagner

RESOLVED THAT Councillor Quinn be granted permission to be absent from the Council Meeting on February 10, 2003.

Carried.

25/03 Moved by: Councillor Quinn

Seconded by: Councillor Keryluk

RESOLVED THAT Councillor Robinson be granted permission to be absent from the Council Meeting on February 10, 2003.

Carried.

ADJOURNMENT:

26/03 Moved by: Councillor Brennan

Seconded by: Councillor Quinn

RESOLVED THAT the meeting adjourns at 6:49 p.m.

Carried.

Mayor

Manager of Administration