

Minutes of a Regular Meeting of Council held in the Council Chambers on Monday, July 28th, 2003 at 6:04 p.m.

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

ABSENT: None

MINUTES OF MEETING: 196/03 Moved by: Councillor Quinn
Seconded by: Councillor Brennan
RESOLVED THAT the minutes of the regular Council meeting held on July 14, 2003 at City Hall in Portage la Prairie be approved as circulated.
Carried.

HEARINGS:

Request for Variation – Robert Painter spoke to Council in favor of the variance.

Robert Painter & Lisa Kennedy Painter – 12 Garrioch Park Drive 197/03 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
RESOLVED THAT all persons wishing to present at the public hearing for the Request for Variation for Robert and Lisa Painter have been heard and the public hearing now be closed.
Carried.

Kinelm

The applicant, Rob Painter & Lisa Kennedy-Painter, are applying for a variation to allow rear yard to be reduced from required 7.5 m to 5.76 m to allow for a deck.

This building is in an R1 – Single family dwelling district.

Public notices have been sent to all property owners within a 100 meter radius.

Kinelm 198/03 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Rob Painter & Lisa Kennedy-Painter to vary rear yard to be reduced from required 7.5 m (25 feet) to 5.76 (18.9 feet) to allow for deck off garden doors at the property known as 12 Garrioch Park Drive which is legally described as Lot 56, Block 6, Plan 1721, in RL 90 to 94, Parish of Portage la Prairie.
Carried.

DELEGATIONS: 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 report:

Unpaid Water & Sewer to Taxes for June, 2003 – By-Law 03-8180 – 2nd & 3rd Reading This is part of the normal monthly procedure to allow unpaid water and sewer accounts to be added to property taxes.

Nettie 199/03 Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED THAT By-Law No. 03-8180 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. 03-8180 be read a third time, finally passed, signed and sealed.

Carried.

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

2002 Audited Financial Statements

The Municipal Act requires that audited financial statements be received by the municipality before June 30 of every year and be reviewed at the first regular meeting of Council after receiving the report.

The audited statements reflect a 2002 year end surplus in the General Operating Fund of \$279,078 - \$4,171 less than previously stated due to a timing difference of revenues between 2001 and 2002 (zero net effect between the two years).

As previously reported a 2002 year end surplus of \$5,852 in the Utility Operating Fund is reflected in the audited statements.

Nettie

200/03

Moved by: Councillor Quinn

Seconded by: Councillor Robinson

RESOLVED THAT the Audited Financial Statements for the twelve months ended December 31, 2002 be adopted.

Carried.

Monthly Activity Reports –
For Information Only

Council reviewed the monthly activity reports for June, 2003.

No Smoking Ban

Council discussed the smoking ban on smoking in public places in camera.

Administration was requested to provide a resolution for this purpose for the next Council meeting.

It is proposed to pass the same resolution that Central RHA has recently passed.

Marg

201/03

Moved by: Councillor Quinn

Seconded by: Councillor Robinson

RESOLVED THAT the Council of the City of Portage la Prairie endorse the position of a Province wide ban on smoking in all public buildings, and be it further resolved that this position be communicated directly to the Manitoba Minister of Health and other appropriate bodies.

Carried.

Current Projects List – For
Information Only

Council discussed the Current Projects Report for July in camera.

**City Planning & Economic
Development Committee**

Your worship:

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

Municipal Promotional Item
Policy Revisions

The Municipal Promotional Item Policy needs to be updated because many of the items identified in the policy are no longer distributed by the City. There are also additional items that must be added to the policy in order to make the policy reflect the current situation.

Main changes to the policy are as follows:

- Definitions section added.
- Coasters & buttons were taken out of the policy as the City has not purchased or distributed them in many years.
- Additional items added to the policy include tote bags, postcards, folders, key chains, and shirts.
- As well, it has clearly been identified through the addition of definitions what types of events, promotional materials can be given to, and who has

the responsibility to do so.

- The policy also now clearly states with the addition of section 3.5 that giveaways are not to be provided for private functions.

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| Dean | 202/03 | Moved by: Councillor Brennan Seconded by: Councillor Wagner RESOLVED THAT the Council of the City of Portage la Prairie approve the Municipal Promotional Item Policy ECD-ED-AA as presented. Carried. |
| Proposed Residential Development – For Information Only | | Council discussed this report in camera. |
| Monthly Activity Report – For Information Only | | Council reviewed the monthly activity report for June, 2003. |
| Public Safety Committee | | Your worship: The Public Safety Committee respectfully submits the following report: |
| Monthly Activity Reports – For Information Only | | Council reviewed the monthly activity reports for June, 2003. |
| Portage Ex Policing Issues – For Information Only | | Council discussed this report in camera. |
| Waterworks Committee | | Your worship: The Waterworks Committee respectfully submits the following report: |
| Monthly Activity Reports – For Information Only | | Council reviewed the monthly activity reports for June, 2003. |
| Transportation Committee | | Your worship: The Transportation Committee respectfully submits the following report: |
| Monthly Activity Reports – For Information Only | | Council reviewed the monthly activity reports for June, 2003. |
| Community Services Committee | | Your worship: The Community Services Committee respectfully submits the following report: |
| Award of Tender – Provision of Electrical Services | | This tender was advertised in the Daily Graphic and closed on June 30, 2003 with the above noted companies submitting bids. The contract is to provide electrical servicing and maintenance to specified City of Portage la Prairie owned buildings for a three-year term, commencing August 1, 2003 to July 31, 2006. The contract states that the City may suspend any or all services with the Contractor with written notice and may also engage the services of other Contractors to obtain materials and/or services when deemed necessary. |
| Kelly | 203/03 | Moved by: Councillor Porter Seconded by: Councillor Brennan RESOLVED THAT the Council of the City of Portage la Prairie award the tender for the Provision of Electrical Services to V & R Electrical for the hourly rate of \$30.78 including G.S.T. & P.S.T. Carried. |
| Canada Day Celebrations Evaluation Report – For Information Only | | Council reviewed the Canada Day celebrations report for information only. |
| Monthly Activity Reports – For Information Only | | Council reviewed the monthly activity reports for June, 2003. |

DEFERRED BUSINESS:

None

NEW BUSINESS:

Award of Tender – Plumbing and Heating

This tender was advertised in the Daily Graphic and closed on June 24, 2003 with the above noted companies submitting bids. The contract is to provide plumbing, heating, & refrigeration servicing and maintenance to specified City of Portage la Prairie owned buildings for a three-year term, commencing August 1, 2003 to July 31, 2006. The contract states that the City may suspend any or all services with the Contractor with written notice and may also engage the services of other Contractors to obtain materials and/or services when deemed necessary. The tender also states that the City may waive technical requirements.

Knox Plumbing has been the City's plumbing, heating and ventilation contractor for 13 years.

Knox Plumbing does not work on large rooftop air conditioning units, since they do not have qualified service personnel. If they are awarded the contract, the City would have to hire a qualified service person to work on the refrigerant system on air conditioning units. This would be done on an as-required basis.

Kelly

204/03

Moved by: Councillor Porter

Seconded by: Councillor Brennan

RESOLVED THAT the Council of the City of Portage la Prairie award the tender for the Provision of Plumbing, Heating, & Refrigeration Services to Knox Plumbing & Heating for the hourly rate of \$38.76 including G.S.T. & P.S.T
Carried.

Review of Proposal for Advertising on the Ice Resurfacing Machine at Centennial Arena

Boyd Auto Body has held the rights to the exclusive advertising on the ice-resurfacing machine at Centennial Arena for the past 5 years. Their agreement ended in the spring of this year.

The Economic & Community Development Department issued a Request for Proposals for any interested party to place advertising on the ice-resurfacing machine at Centennial Arena on June 6 and closed on June 16th with only one proposal, from CFRY Radio, being received.

The CFRY proposal assumes all costs associated with decaling or painting of the ice resurfacing machine at Centennial Arena, and if the City of Portage la Prairie replaces the resurfacing machine within the term of the agreement, CFRY will assume the cost to re-decal or pain the new machine.

In return for their exclusive sponsorship of the ice resurfacing machine for a period of 5 years (ended July 30, 2008) CFRY will provide the City of Portage la Prairie \$2000.00 worth of advertising per year (or \$10,000 for the term of the agreement) on one or a combination of their radio stations owned by Golden West Broadcasting. Rates would be based on the local rate card for the application station with commercial dates and times scheduled based on availability.

The City of Portage la Prairie use CFRY radio advertising many of the City managed events or programs. We have developed our individual marketing plans for these events or facilities to include external markets such as Morden, Winkler, Altona, Steinbach, and Winnipeg in order to attract more tourists to the area. Golden West Broadcasting owns CFRY radio, as well as AM and FM radio stations in Winkler, Altona, and Steinbach. This proposal will allow the City to advertise in our desired external markets without impacting our existing marketing budgets.

Dean

205/03

Moved by: Councillor Porter

Seconded by: Councillor Brennan

RESOLVED THAT the Council of the City of Portage la Prairie accept the

proposal submitted by CFRY Radio for exclusive advertising on the ice-resurfacing machine at Centennial Arena for a period of 5 years commencing July 31, 2003 to July 31, 2008 at a rate of \$2000 per year to be adopted towards City advertising and further that Administration be authorized to enter into an agreement with CFRY Radio to the sole satisfaction of the City.
Carried.

Signing of Coors Light Silver
Summer Throwdown
Agreement

In November 2002, Mr. Dan Martin had submitted a proposal for a three day extreme sport festival, now titled "Coors Light Silver Summer Throwdown". The festival will feature a pro-am Wakeboard competition on Crescent Lake and other extreme sport demonstrations including BMX biking, skateboarding, rock climbing and now also a strong man competition. The festival will also include an onsite beer garden, a Rider's Village showcasing related industry goods, and a social evening at an offsite local licensed establishment.

Council authorized Administration to commence agreement negotiations with the organizers. Administration met with the organizers to discuss the issues of security, traffic control and participant safety. The local RCMP was contacted and a meeting arranged to review the proposed security plan and to provide valuable feedback and suggestions. The RCMP also offered to conduct a training session for the volunteers responsible for security in an effort to bring understanding to their role as a volunteer and to recommend actions on how to deal with security issues. The organizers accepted this training opportunity and a session is to take place before the event.

Holding the event on Island Park will only require that International Drive be closed to the public from Massey Crescent to George Hill Drive between Friday, August 15, 2003 at 7:00 a.m. until Monday, August 18, 2003 12:00 p.m. Under the Parks By Law No. 7283 the Director of Economic and Community Development may approve temporary park road closures. Courtesy notices will be mailed to residents and the closure will be posted in the Citizens Information page of the Daily Graphic.

A requirement of the facility use agreement is to provide a minimum of \$2,000,000 (two million dollars) public liability insurance for the event. The organizers had difficulty in obtaining a single comprehensive special event insurance package, however, they were able to secure coverage for the independent features of the festival (skateboarding, BMX biking, rock climbing, and the strongman competition). After consultation with our insurance provider, HED Insurance Brokerage Group - Hayhurst Elias and Dudek Inc. (HED), it was recommended that all policies named the City of Portage la Prairie as an additional insured. The organizers have obtained comprehensive general liability insurance for the beer garden through Party Alcohol Liability and the Wakeboard Competition under the Water Ski Canada policy. HED did caution that without overall special event insurance, Mr. Martin would not have coverage for any incidents occurring outside of those activities with insurance policies. In this rare case, the City of Portage la Prairie may be responsible by default. Copies of all insurance policies are required at the time of the signing of the agreement.

The Coors Light Silver Summer Throwdown is expected to attract over 3,000 people to the event. It has the potential to generate thousands of dollars into the local economy and if successful, may evolve into a major annual community event for years to come.

Dean

206/03

Moved by: Councillor Porter

Seconded by: Councillor Brennan

RESOLVED THAT the Council of the City of Portage la Prairie authorize the Mayor and the Manager of Administration to sign the Coors Light Silver Summer Throwdown special event agreement for the use of Crescent Lake and Island Park August 15-17, 2003 on the condition that all insurance policies are in place naming the City of Portage la Prairie as additional insured and that a security plan is provided to the sole satisfaction of the City.

Carried.

Silver Summer Throwdown
Request to Obtain a Liquor
Permit

Council has reviewed the proposal from Mr. Dan Martin, Mr. Wes Fulford and Mr. Lonn Vokey for a three day extreme sport festival, Coors Light Silver Summer Throwdown featuring a pro-am Wakeboard competition on Crescent Lake. Council authorized Administration to draft a facility use agreement to specifically address the issues of crowd control, security and participant safety to ensure a controlled festival on Island Park. Since that time, a draft agreement has been prepared and is under further review. The event organizer, Mr. Dan Martin, has forwarded a letter of request to obtain a liquor permit for the festival to accommodate a beer garden on the Island near the northeast corner of the park.

The Manitoba Liquor Control Commission requires authorization from the City of Portage la Prairie, as owners of the facility, before issuing a liquor permit to the organizers. In previous years, Council has authorized special events to proceed in obtaining a liquor permit for community events. The City of Portage la Prairie has approved four of the maximum total of six special events permitted this year. These include the Keystone Cup, the Western Canadian Senior Open Fast Pitch Championships, the Portage & District Junior Terriers Spring Fling, and the Gladstone Whips Fast Pitch Tournament for 2003.

Administratively, we have no concerns in supporting this request on the condition that the terms of the Facility Agreement are met.

Dean

207/03

Moved by: Councillor Porter

Seconded by: Councillor Brennan

RESOLVED THAT the Council of the City of Portage la Prairie approve the request from Mr. Dan Martin to obtain an occasional use permit from the Manitoba Liquor Control Commission for the purpose of a beer garden during the Coors Light Silver Summer Throwdown on August 15, 16, & 17, 2003 at Island Park, Portage la Prairie, Manitoba.

Carried.

Long Plain Solid Waste

Long Plain First Nation closed their landfill site and are in the process of establishing a waste transfer station. They have investigated options for final disposal of their waste, including Winkler, MacGregor, and Brady Road landfill sites. For the past several weeks, Long Plain has been hauling their waste to the Winkler/Morden landfill. They have asked the City to enter into a long-term agreement to accept their waste at the Portage la Prairie Landfill site. They desire to enter into an agreement as soon as possible. August 1st has been suggested as the start date of the agreement.

The City's Fees and Charges Bylaw specifies a tipping fee of \$37.50 per tonne for all waste originating outside of the jurisdiction of the City and RM. This, in part, reflects the possible situation of City property taxes subsidizing landfill operations. Since our data is limited with respect to tonnage of waste received at the landfill and tipping fees being collected, it is difficult to determine at this point in time what the actual tax base subsidy is, if any. The intent is to make the landfill operation self-sustaining, with users paying for the operation according to the tonnage deposited at the landfill site

The standard tipping fee rate for City waste is \$25 per tonne.

Since this would be a long-term agreement with Long Plain, consideration may be given to charge the regular tipping fee rate, which may be subject to change on an annual basis.

The CAO of the RM of Portage la Prairie has given verbal approval in principle to this proposal; however, a formal approval from the Council of the RM may be necessary.

It is anticipated that the Landfill would receive between 15 and 20 tonnes per week from Long Plain. At 15 tonnes per week and at \$25 per tonne, this

equates to \$19,500 per year in revenue from tipping fees.

The standard commercial tipping fee at Brady Road landfill is \$22.50 per metric tonne, and apparently is set to drop. Kenora has an agreement to dispose of waste at the Brady Road Landfill at a rate of \$22.50 per metric tonne.

The draft agreement reflects a 5 year initial term, beginning August 1st, 2003, with subsequent 5 year renewal periods. The agreement also allows the City to terminate services 21 days following the 30th day after the invoice date, for unpaid charges. Otherwise, 6 months notice is required for termination.

Kelly

208/03

Moved by: Councillor Keryluk

Seconded by: Councillor Robinson

RESOLVED THAT Council approve the request of Long Plain First Nation to dispose of their residential and commercial waste at the Portage la Prairie Regional Landfill Site at an initial rate of \$25 per tonne, effective August 1st, 2003;

THAT Schedule "B" of Fees and Charges Bylaw No. 02-8166 be amended by adding the words "and Long Plain Reserve" after the words "commercial fee" in clause 1 a) i) and by adding the words "(other than Long Plain Reserve)" after "Reserves" in clause 1 a) viii)

THAT Council authorize the Mayor and Manager of Administration to sign an agreement with Long Plain First Nation for the disposal of waste at the Portage la Prairie Landfill, on behalf of the City.
Carried.

OLD BUSINESS:

None

ADJOURNMENT:

The meeting be adjourned at 6:38 p.m.
Carried.

Mayor

Manager of Administration