

Minutes of a Regular Meeting of Council held in the Council Chambers on Monday, June 23rd, 2003 at 6:00p.m.

- PRESENT:** Councillors Brennan, Keryluk, Robinson, Quinn, and Wagner with Mayor Ian MacKenzie in the Chair.
- ABSENT:** Councillor Porter
- MINUTES OF MEETING:** 159/03 Moved by: Councillor Wagner
Seconded by: Councillor Robinson
RESOLVED THAT the minutes of the regular Council meeting held on June 9, 2003 at City Hall in Portage la Prairie be approved as circulated and amended by deleting Councillor Brennan's name from the present list.
Carried.
- HEARINGS:** Industrial Park Access Debenture.

No one appeared.
- DELEGATIONS:**

SAAN Store Ltd. A letter from Ramona Wirch, Store Manager, SAAN requesting permission to continue their frequent sidewalk sales through July, August and September was read into the record.
- 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 May, 2003 – By-Law 03-8179 – 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 160/03 Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED THAT By-Law 03-8179 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. 03-8179 be read a third time, finally passed, signed and sealed.
Carried.

In Favor: Mayor MacKenzie, Councillors Brennan, Keryluk, Quinn, Robinson and Wagner.
- Business License By-Law Amendment – By-Law 03-8196 – 2nd & 3rd Reading The Business License By-law 01-8098 provides for licensing and regulating certain businesses pursuant to the Municipal Act, where the business is not conducted out of commercially taxed property. On average, business license revenues amount to \$25,000 to \$30,000 per year.

This by-law was overhauled in 2001 and now requires further updates to address current issues.
- Marg 161/03 Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED THAT By-Law No. 03-8196 to amend By-Law 01-8098 being a by-law to provide for licensing and regulating certain businesses be read a second time.
Carried.

THAT By-Law No. 03-8196 be read a third time, finally passed, signed and sealed.
Carried.

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

Tax Installment Plan By-Law
Amendment – By-Law 03-
8197 – 2nd & 3rd Reading

The City has received a number of requests after the deadline of March 15. Under the current provisions of the by-law these people would not be able to start the plan until 2004. In order to increase the number of participants, it is proposed to change the enrolment deadline date from March 15 to June 30. Participants must pay for the missed installments when joining the plan.

Another change recommended to the by-law is to allow for the City to re-calculate the payments at the end of each year for the following year, rather than just at tax statement time. This will smooth out any significant fluctuations experienced in the past year, making it easier on the participants' budgets and the city's cash flow.

Nettie

162/03

Moved by: Councillor Quinn

Seconded by: Councillor Robinson

RESOLVED THAT By-Law No. 03-8197 to amend By-Law 00-8075 being a by-law to provide for tax installments be read a second time.
Carried.

THAT By-Law No. 03-8197 be read a third time, finally passed, signed and sealed.
Carried.

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

Sale of Land on Alexander
Avenue

Mr. William Kent has submitted an offer to the City to purchase some lanes, lots and a roadway on the corner of Alexander Avenue and Caledonia Street.

There is an irregular shaped lot with 100 foot frontage on the corner of Caledonia and Alexander Avenue that is zoned R160 that could be built on without re-zoning or subdivision or paving of the roadway. Mr. Kent would however like to expand the R1-60 zoned area which requires Council's approval, in addition to closing and purchasing adjacent lanes, lots and roadway that the City owns or controls.

Dean

163/03

Moved by: Councillor Quinn

Seconded by: Councillor Robinson

RESOLVED THAT the City agree to sell the following lands for \$3,000:

- a. Lanes in Blocks 5 and 6, Plan 407;
- b. Sutherland Street between Alexander and Ogiltrie Avenues; and
- c. Lots 33 and 34, Block 5, Plan 407;

2. THAT the purchaser be responsible for all surveying, legal and all other costs associated with closing the aforementioned lanes and street and that should the lanes and/or street not be successfully closed the City is not liable for any costs incurred by the purchaser associated therewith;

2. THAT the purchaser be responsible for all costs associated with re-zoning and amending the Development Plan to provide for residential development of this property;

3. THAT the City be responsible for only those normal legal costs associated with transfer of title by a property vendor;

4. THAT the purchaser agree to register a caveat on the aforesaid property

plus all land included in Blocks 5 and 6, Plan 407 to;

- a. Restrict any further development of this property and to only allow one residential building lot;
 - b. That the minimum lot elevation for building be 856.6 feet above sea level;
 - c. That existing drains and drainage patterns will not be adversely affected;
5. THAT the City allow the aforesaid residential building lot to be serviced with water and sewer by individual service connection lines, including a low lift sewer pump out; and
6. THAT Alexander Avenue west of Caledonia Street has not been developed as a roadway and that the aforesaid caveat will provide the purchaser with access along Alexander Avenue with the provision that the City is not responsible for developing or upgrading this road.

Carried.

False Alarm Fees – By-Law
03-8198 – 2nd & 3rd Reading

By-Law No. 7626 states that where 3 or more false alarms occur within a 6 month period, the alarm permit is revoked and must be re-instated (alarm permit re-instatement fee). There is a cost of \$50.00 to re-instate the permit.

The RCMP responded to 263 false alarms to the end of April 2003 compared to 205 false alarms to the end of April 2002. This has amounted to a significant amount of time that could otherwise be utilized in proactive policing.

One option to encourage property owners to take steps to reduce false alarms is to increase the time period over which false alarms are measured from 6 months to 12 months. This would mean that the 3rd false alarm in 12 months triggers a \$50 fee to renew the alarm permit.

Nettie
Marg

164/03

Moved by: Counillor Quinn

Seconded by: Councillor Robinson

RESOLVED THAT By-Law No. 03-8198 to amend By-Law No. 7626 being a by-law to regulate false alarms be read a second time.

Carried.

THAT By-Law No. 03-8198 be read a third time, finally passed, signed and sealed.

Carried.

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

Carried.

2004 Budget Guidelines

The modified program budget approach is designed to allow the Budget Committee to focus on the net cost of programs offered by the City and on those new/additional services and capital items that Council deems to be necessary.

At the organizational meeting for 2003, Council appointed all members of Council to the Budget Committee.

The prioritization of new/additional services and capital items is to be done on a departmental basis by the applicable Director.

Discretionary items over \$1,500 and any proposed staffing increases are highlighted in the report.

Any capital items over \$5,000 and new/additional levels of service are not included in the operating budget.

The tentative schedule of dates attached includes a weekend dedicated to the presentations made by the Department Heads to the Budget Committee. Council may wish to discuss the alternative of week night meetings rather than

a weekend.

Nettie	165/03	Moved by: Councillor Quinn Seconded by: Counillor Robinson RESOLVED THAT the modified program budgeting approach be utilized to set the 2004 budget. 2. THAT all discretionary items over \$1,500 and all staffing increases be presented separately for Committee's consideration. 3. THAT the net effect of all proposed new/additional services and capital items be presented separately for the Committee's consideration. Carried.
Election Expenses – For Information Only		Council reviewed the election expenses report.
Debenture Authorization – Industrial Park Access – By-Law 03-8199 - 1 st Reading		The 2003 Financial Plan and the Debt Management Plan included the requirement for debentures for the construction of the North East Transportation Route (Industrial Park access) to be built in the years 2003 to 2005. 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 City must comply with the Municipal Act, City Policy and its Debt Free By-Law. In regards to the Debt-Free By-Law, there are specific actions to be taken by the City over and above the Municipal Act. In compliance with the Debt Free By-Law, the Debenture Authorization By-Law 03-8199 includes the temporary suspension of the discontinuance of long-term borrowing. The City is allowed to have a debt maximum of 7% of it portioned assessment less existing debt. This amounts to \$1.5 million remaining allowance for additional debt. The Debenture authorization by-law requires first reading prior to submission to the Municipal Board for their approval. Upon their approval, the City will then give 2 nd & 3 rd reading to the by-law. Once debt is required, another by-law will be required to issue the debt and release the funds. The By-Law is to be changed to also suspend clauses 4, 5a, and 5b of the Debt Free By-Law.
Nettie	166/03	Moved by: Councillor Quinn Seconded by: Counillor 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 1 st Reading. Carried.
Signing By-Law Amendment – By-Law 03-8200 – 1 st Reading		The City of Portage la Prairie has formed a joint planning district with the Rural Municipality of Portage la Prairie. The new office of the Portage la Prairie Planning District is a separate entity that will be dealing with all planning matters. In order for the Development Officer and his Assistant to sign documents relating to planning matters, Council must provide the authority.
Marg	167/03	Moved by: Councillor Quinn Seconded by: Councillor Robinson RESOLVED THAT the Development Officer and the Assistant Development Officer be authorized to sign documents related to planning matters, including variations and conditional uses;

AND FURTHER THAT By-Law No. 03-8200, a by-law to amend the City of Portage la Prairie Organization and Procedure By-Law No. 03-8181 accordingly, be now introduced and read a first time.
Carried.

Monthly Activity Reports –
For Information Only

Council reviewed the monthly activity reports for May, 2003.

Long Plain First Nation –
Municipal Servicing
Agreement

Council discussed this report in camera.

Current Projects Lists

Council discussed the Current Projects Lists in camera.

**City Planning & Economic
Development Committee**

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

Canadian Sport Tourism
Alliance (CSTA) Membership
– For Information Only

The City of Portage la Prairie recently became a member of the Canadian Sport Tourism Alliance (CSTA). CSTA's mission is to increase the capacity and competitiveness of communities across Canada in hosting sporting events.

The City of Portage la Prairie is registered with CSTA as an Active Member with voting privileges. This membership classification includes public or private organizations in a community, municipality or metropolitan area in Canada that is organized to solicit and service sports events (Convention & visitors bureaus, sport tourism commissions, or economic development commissions).

Request for Extension for
Variation – Melco
Developments Ltd. – 21
Brookside Crescent

The applicant has requested an extension to their original Variation order which was passed by Resolution No. 199/02 on June 24th, 2002, for an additional 12 months.

The Planning Act, Section 53(13) states: "A variation order made under subsection (8) shall expire and cease to have any effect if it is not acted upon within 12 months from the date it was made, unless it is renewed before the expiry date at the discretion of Council for an additional period not exceeding 12 months."

Dean

168/03

Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the request to extend the Variation order # CP – 18/03 to June 23, 2004 at the properties on 21 Brookside Crescent, (10, 14, 18, 22, 26, 30, 34, 38, 42, 46, 50, 54, 58) Jack Cavers Place which are legally described as Parcel 2 & 3, Block 2, Plan 35629 Parish of Portage la Prairie.
Carried.

Monthly Activity Reports –
For Information Only

Council reviewed the monthly activity reports for May, 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 May, 2003.

Councillor Wagner reminded Council of the Community Policing Committee BBQ on Saturday, June 14th at IGA.

Waterworks Committee

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

Utility Staff Mandatory
Certification – For Information

Council reviewed the mandatory certification report for information only.

Only

Assiniboine River Study
Update

Council reviewed the river study update for information only.

Monthly Activity Reports –
For Information Only

Council reviewed the monthly activity reports for May, 2003.

Transportation Committee

Your worship:

The Transportation Committee respectfully submits the following report:

Monthly Activity Report – For
Information Only

Council reviewed the monthly activity report for May, 2003.

Award of Tender 2003 Paving
Contract

5 bids were received for the 2003 Pavement Contract as follows:

The work in the tender includes:

- Overlays:
Crescent Road East – Portage Ave. to 4th St. S.E.
Oak Bay
14th St. N.W. – Lorne Ave. to Cul-De-Sac
Old Bridge Road – South of By-Pass to Cul-De-Sac
Seventh Street S.E. – Saskatchewan Ave. to Countess Ave.
Portage Avenue – Crescent Road to 3rd St. S.E.
- Queen Avenue Pavement Construction

The tendered price for overlays (\$201,047.65 less the GST rebate of \$7,515.80, or \$193,531.85) is approximately \$20,468.15 under the total budget (\$214,000). The tender price is based upon an estimated amount of asphalt material and milling. The actual quantities will vary during construction. If funds are still available following completion of all streets in the tender, an additional street will be added to the program for overlay.

The tendered price for the Queen Avenue Pavement Construction is \$22,826.31, less the GST rebate of \$853.32, or \$21,972.99. This work is funded out of the Land Development Reserve, which included approximately \$90,000 for all servicing of the lots in the old Lions Pool area. The water and sewer was approximately \$41,000 for this development and there are additional costs such as Engineering services, legal survey, hydro, gas and MTS servicing, and infrastructure levy. This work involves the supply and placement of gravel base, concrete curb and gutter, asphalt pavement and boulevard work.

Kelly
Nettie

169/03

Moved by: Councillor Keryluk

Seconded by: Councillor Porter

RESOLVED THAT Council award the tender for the 2003 Pavement Contract, as specified in tender 03-OPS-009, to Borland Construction Ltd. for the tendered price of \$223,873.96, including GST.
Carried.

**Community Services
Committee**

Your worship:

The Community Services Committee respectfully submits the following reports:

Canada Day – Closure of
Streets for Canada Day

Island Park, will again, be the site of our Canada Day Celebrations with a number of activities taking place. This year the day's program has concentrated on children and family activities primarily on the Eastern portion of Island Park.

A letter to all Island Park residents will be sent notifying them of the closure upon approval of Council.

Dean

170/03

Moved by: Councillor Brennan

Seconded by: Councillor Wagner

RESOLVED THAT the City Council advise the Island Park residents that the route for access to their properties will be Royal Road S., Pelechaty Drive, to Brandon Ave, and Massey Crescent from noon, June 30, 2003 to 5:00 pm, July 2, 2003 with International Drive being accessible for residents exiting the park.

1. That George Hill Drive be hereby closed for the Canada Day celebrations from noon, June 30, 2003 to 5:00 pm, July 2, 2003.
2. That Crescent Road from 3rd Street East to Royal Road and 4th Street West to Royal Road be closed on July 1, 2003 from 8:00 p.m. until 12:00 pm or until the conclusion of the fireworks display.
3. That the Island Park Bridge be closed to all vehicle and pedestrian traffic on July 1, 2003 from 10:00 pm until 12:00 pm or until the conclusion of the fireworks display.

Carried.

Midtown Motor Inn's Request
to Extend Hours of Operation

The Midtown Motor Inn has requested that their hours of operation be extended to 3:00 a.m. during August 14 – 17, 2003 to accommodate the Western Senior Open Fast Pitch Championships.

The Liquor Control Act, section 100, states that a licensed facility may request this extension to accommodate a special event of community, municipal, provincial or of national significance.

Dean

171/03

Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie deny the request of the Midtown Motor Inn to extend the hours of operation until 3:00 a.m. during August 14 – 17, 2003, as per Section 100 of the Liquor Control Act.
Carried.

Lions Club Request for School
Patrol Pool Passes

The City has previously partnered with the Lions Club and the Portage School Division to provide pool passes to School Patrols for the Lions Memorial Pool.

The passes would be valid until April 30, 2004 at either Splash Island or the City Aquatic Program at the Southport Aquaplex.

Dean

172/03

Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie agree to provide \$1,148.50, as their total contribution (1/3 of total value of \$3,445.50) towards the purchase of 150 ten-visit City Aquatic Child Passes for the purpose of providing recognition towards School Patrols in partnership with the Portage Lions Club and the Portage la Prairie School Division.
Carried.

Tender for Replacement of
Metal Roofing at City Hall

On May 20, 2003, at 2:00 p.m., the tenders were opened for the Replacement of the Metal Roofing at City Hall as listed in 03 OPS 008. The tender was advertised in the Daily Graphic and the Winnipeg Free Press. The tender was previously advertised in early April with no Tenders received. The present roof is in poor shape and more of the Metal roofing is coming loose with each strong wind. If it is not repaired soon there will be damage to roof structure and possible interior damage from moisture.

The budget for the Supply and Installation of City Hall's metal roof was \$25,000.00. The lowest tender received for the standing rib roof was from Watson's Roofing for \$41,392.95 including all taxes. This would be \$16,392.95 over budget.

Kelly

173/03

Moved by: Councillor Brennan
Seconded by: Councillor Wagner

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

Tender 03 OPS 008 to Watson's Roofing for the Supply and Installation of a standing rib Metal Roofing for City Hall for the sum of \$41,392.95 including all applicable taxes.
Carried.

Monthly Activity Reports –
For Information Only

Council reviewed the monthly activity reports for May, 2003.

Southport Portage Piranha
Swim Club Request for
Penalty Charge Waiver

Ms. Terri Porter appeared before Council to explain and support the Portage Piranha Swim Club's request to waive the penalty charges accrued on the 2001/2002 pool billings.

The Southport Piranhas Executive have submitted a letter requesting that the penalty charges accrued on their 2001/2002 pool billings be waived. In August 2002, Council approved the club's payment plan to pay off their outstanding account of \$5,764.87 for the 2001/2002 season, which was to pay \$1,500 towards their arrears in September, November, January and March of the 2002/2003 season. Council further permitted the club to enter into another facility use agreement on the understanding that outstanding and current season rental charges are paid in full by season end. The Southport Portage Piranhas have paid off the 2001/2002 debt, with the exception of the finance charges.

The total penalty charges on the Southport Portage Piranha Swim Club's 2001/2002 balance is approximately \$444.15 as of April 23, 2003. They also carry an outstanding balance of approximately \$6,950.77 from June 2002 to April 2003 with an additional \$268.72 in applied penalty charges. Therefore, the club carries an outstanding balance of approximately \$7,663.64 as of April 23, 2003 for the use of the pool at the Southport Aquaplex.

Dean

174/03

Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the request of the Southport Portage Piranha Swim Club to waive any penalty charges on their outstanding facility rental balance.
Carried.

DEFERRED BUSINESS:

None

NEW BUSINESS:

Appointment of Dangerous
Animal Committee Members

The new Animal Control By-Law was passed on December 9, 2002.

Section 19 of the by-law states that when the Animal Control Officer believes an animal is dangerous, he shall arrange a hearing before a committee authorized by Council to determine whether or not the said animal should be declared a dangerous animal.

It is suggested that a committee of three people, consisting of the Animal Control Officer, the Fire Chief, and a veterinarian would be sufficient for this purpose. Dr. Tammy Dunbar, DVM, has agreed to sit on the committee.

Dennis

175/03

Moved by: Councillor Wagner
Seconded by: Councillor Brennan

RESOLVED THAT Council authorize the Dangerous Animal Determination Committee to ascertain whether an animal should be considered dangerous;

AND FURTHER THAT the Committee be comprised of the Animal Control Officer or his designate; the Fire Chief or his designate; and Dr. Tammy Dunbar.
Carried.

Community Policing By-Law
Amendment – By-Law 03-
8201 – 1st Reading

By-Law No. 7809, a by-law to authorize the establishment of a Community Policing Consultative Committee, was passed on November 6, 1995. Since that time, certain changes have taken place and it is deemed advisable to amend the by-law to reflect current practices, including reducing the required number of members from 9 to 8, with only one elected official. Other minor changes were made to bring the by-law up to date.

Marg

176/03

Moved by: Councillor Wagner
Seconded by: Councillor Quinn

RESOLVED THAT By-Law No. 03-8201 being a by-law to amend By-Law 7809, a by-law to authorize the establishment of a Community Policing Consultative Committee, be now introduced and read a first time.
Carried.

OLD BUSINESS:

None

ADJOURNMENT:

The meeting be adjourned at 6:48 p.m.
Carried.

Mayor

Manager of Administration