

Minutes of a Regular Meeting of Council held in the Council Chambers on Monday, March 10, 2003 at 6:05 p.m.

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

**ABSENT:** None

**MINUTES OF MEETING:** 56/03 Moved by: Councillor Wagner  
Seconded by: Councillor Tenszen  
RESOLVED THAT the minutes of the regular Council meeting held on February 24, 2003 and the special Council meeting minutes held on March 3, 2003 at City Hall in Portage la Prairie be approved as circulated.  
Carried.

**DELEGATIONS:** Mayor MacKenzie presented Allan Merritt of Portage Coop with an award for Outstanding Display at the Youth Career Opportunity Expo.

**HEARINGS:**

Portage Day Care Conditional Use Application The Manager of Administration read a letter of objection from A.H. Dagg of 207 Duke Avenue into the record.

Mr. Shane Moffat, acting as spokesperson for the residents of Duke Avenue, then presented Council with a petition signed by the residents of Duke Avenue. The residents cited concerns regarding increases in traffic and noise levels.

Massey Crescent Water and Sewer The Manager of Administration read letters of objection from Tammy and Doug Bogue and David and Wendy Moman. The objections were based on the increased cost for the project.

Mr. Casey Zonnefeld, spokesperson for the Massey Crescent residents, agreed with the remarks made in the written objections. He indicated the residents wanted the water and sewer, but did not want to pay the full cost.

**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 03-8176 – Unpaid Water & Sewer to Taxes for February, 2003 – 1<sup>st</sup> Reading This is part of the normal monthly procedure to allow unpaid water and sewer accounts to be added to property taxes.

57/03 Moved by: Councillor Quinn  
Seconded by: Councillor Robinson  
RESOLVED THAT By-Law 03-8176 being a by-law to authorize unpaid water and sewer charges be added to taxes be read a first time.  
Carried.

Portage la Prairie City Library The Rural Municipality of Portage La Prairie has advised that their Council has expressed an interest in forming a Regional Library, and have appointed two of their Council members to a committee to discuss this issue.

58/03 Moved by: Councillor Quinn  
Seconded by: Councillor Robinson  
RESOLVED THAT Councillor Brennan and Councillor Tenszen be appointed to review with the Rural Municipality the possibility of forming a Regional Library.  
Carried.

City Debentures – Issue  
Series “C” – By-Law 03-8171  
– 2<sup>nd</sup> & 3<sup>rd</sup> Reading

The City’s share of costs for the Water Plant and Water Pollution Control Facility upgrades were approved in the 2002 and 2003 budget with funding through the issuance of debentures and recovered by the tax sharing agreement with the Rural Municipality of Portage la Prairie and water & sewer revenues from Simplot. By-Law 01-8093 was passed by Council and approved by the Municipal Board to authorize debentures amounting up to \$6,587,000.

The issuance of a 15 year debenture dated for March 2003 in the amount of \$700,000 is required. The total City debentures issued to date towards these projects is \$6,000,000 including this request.

The Municipal Board approved the first reading of by-law 03-8171. It is now ready to receive 2<sup>nd</sup> & 3<sup>rd</sup> reading, which will then release the funds to the City.

59/03

Moved by: Councillor Quinn

Seconded by: Councillor Robinson

RESOLVED THAT By-Law No. 03-8171 to amend By-Law 01-8093 to allow for the issuance of \$700,000 in debentures be given 2<sup>nd</sup> reading.  
Carried.

THAT By-Law No. 03-8171 be given 3<sup>rd</sup> and final reading, finally passed, signed and sealed.  
Carried.

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

Aquatic Program Supervisor  
Position – By-Law 03-8183 –  
1<sup>st</sup> Reading

The Aquatic Supervisor position has been posted and advertised throughout Canada in the aquatic field twice since August 23, 2002, and the City has been unsuccessful in filling this position.

As a result of the unsuccessful recruitment, there is a need to move the existing Aquatic Program Supervisor position into a salary range that is comparable to other similar positions in the province. A salary survey was conducted including positions in Manitoba and Saskatchewan, which were similar in job descriptions, facility type, staff and programming responsibilities. It was discovered that the current 2003 Aquatic Supervisor salary did not compare well to other similar positions.

The current salary of \$27,079 is not within a competitive range to attract qualified candidates, therefore a salary range increase to \$29,000 - \$33,000 could provide the flexibility for the City to hire a qualified employee. The salary increase is also justified as the position has evolved in the areas of public relations, staffing and programming responsibilities, since the opening of Splash Island and should be reflected in a comparable salary increase.

60/03

Moved by: Councillor Quinn

Seconded by: Councillor Robinson

RESOLVED THAT the Council of the City of Portage la Prairie give first reading to By-Law No. 03-8183 to establish a salary range for the position of Aquatic Program Supervisor.  
Carried.

Closure and Sale of City  
Street Lots – For Information  
Only

Committee discussed In Camera a proposal to sell certain City-owned land.

**City Planning & Economic  
Development Committee**

Your worship:

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

2002 Department Annual  
Report – For Information Only

Council reviewed the Economic and Community Development Department Annual Report for 2002.

Tourism Advisory Committee  
Appointment

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.

61/03

Moved by: Councillor Brennan  
Seconded by: Councillor Wagner

RESOLVED THAT Council of the City of Portage la Prairie appoint Mr. Wayne Demers to the Tourism Advisory Committee for a term of two years commencing March 10, 2003 to December 31, 2004.  
Carried.

Tourism Advisory Committee  
(TAC) Strategic Plan

The Tourism Advisory Committee (TAC) was created in January 2001 to act as a liaison between the City, convention and special event planners, and the various service sectors and facilities located in the community and the surrounding area.

The Tourism Advisory Committee hosted the Tourism Opportunity Identification Roundtable meeting on September 24, 2002. The meeting was designed to encourage involvement and participation in tourism development. The results of this meeting provided the basis for which the TAC created the 2003 strategic initiatives.

The TAC Strategic Planning Session was then held in October at City Hall.

62/03

Moved by: Councillor Brennan  
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the 2003 Tourism Advisory Committee Strategic Plan.  
Carried.

Conditional Use – Duke  
Avenue, Applicant – Portage  
Day Care Center Inc., Owner  
- Shindico

The applicant, Portage Day Care Center Inc., have applied for a conditional use to operate a Child Care facility (Day Care) at a location on Duke Avenue situated between the Knights of Columbus Hall and the Salvation Army Citadel. They wish to construct a 2 story building on this site, with plans to provide space for approximately 97 children, with employment for approximately 13 full time and 5 part time employees. The site plan has parking facilities for 5 vehicles.

Portage Day Care Center Inc. has received permission from the owner of the property, Shindico, to apply for this Conditional Use. As well, the applicant has received the permission of the Knights of Columbus to use their parking lot during the day time.

This building lot is located in a C2- Central Commercial District (fringe area) with the general area being zoned C2 to the north, east, and west with some R1 – single family dwellings located on the south portion of Duke Avenue. Directly adjacent to and north of this property lies the City owned public parking lot.

The proposed use is appropriate to the area since the adjacent properties are primarily zoned commercial with some residential properties to the south. The matter of parking, however, is an issue that needs to be addressed by virtue of a variation application since the off-street parking matter has implications on the adjacent property owners including the City.

Public notices were sent to all property owners within a 100 meter (330 foot) radius, with objections received.

63/03

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 Portage Day Care Center Inc. to operate a Child Care facility (Day Care) at the property on Duke Avenue, which is legally

described as Lots 18 & 19, Block 2, Plan 1997, Parish of Portage la Prairie, subject to the following conditions:

1. That the applicant provide the City with a set of plans, in accordance with requirements of the Manitoba Building Code and Fire Codes for review and approval in advance of Building Permit issuance.
2. That the applicant applies and successfully receives a variation order from the City to vary the off-street parking requirements.

Moved by: Councillor Keryluk

64/03 Seconded by: Councillor Robinson

RESOLVED THAT this resolution be tabled pending receipt of site plans by administration.

Carried.

Application for Subdivision –  
Former Lions Pool Property

The owner of this property, the City of Portage la Prairie, wishes to obtain approval to subdivide the property known as 50 Queen Avenue into two separate parcels. The proposed Lot 8, a 13.78-foot wide strip of land, will be consolidated with Lot 2, Block 15, SS Plan 21428, which has been sold to Mr. Harvey Sawatzky.

The remaining seven lots are proposed to be re-zoned to R1-60 and developed and sold by the City.

The Municipal Board in their written decision of February 17, 2003 has confirmed the issue of re-zoning the property from Parks and Open Space to R-1 60 – Residential. The Municipal Board also indicated that the proposed re-zoning amendment is not contrary to the City Development Plan and that the proposed use is not incompatible with any uses in the area.

This application has been circulated to the various City Departments, with no comments having been received. Committee discussed the inclusion of a turning lane from Crescent Road onto Royal Road for easier traffic movement.

65/03 Moved by: Councillor Brennan

Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the application of the City of Portage la Prairie to subdivide the property formerly known as 50 Queen Avenue and legally described as Lots 1 & 2, Block 15, Plan No. 21428, Parish of Portage La Prairie for the purpose of subdividing part of Lot 1 to be consolidated with Lot 2, with the balance of Lot 2 to be subdivided into 7 residential lots.

Defeated.

66/03 Moved by: Councillor Brennan

Seconded by: Councillor Keryluk

RESOLVED THAT this recommendation be referred back to Committee to be re-configured.

Carried.

Youth Career Opportunity  
Expo – For Information Only

Council reviewed the report on the Youth Career Opportunity Expo scheduled to take place on March 6, 2003 at the Canad Inn.

#### Public Safety Committee

Your worship:

The Public Safety Committee respectfully submits the following reports:

RCMP Monthly Activity  
Report for January, 2003

Council reviewed the RCMP monthly activity report for January, 2003.

Committee was advised that Inspector Guertin has been promoted to Superintendent and will be moving to Selkirk.

Collection of Parking Ticket  
Fines

67/03 Moved by: Councillor Wagner

Seconded by: Councillor Keryluk

Whereas municipalities have enacted legislation to provide for parking and municipal traffic control, including the right and responsibility to establish penalties for timed parking, location of available public parking, etc.;

And Whereas some offenders do not respond to their legal responsibility by paying penalties for infractions, which cumulatively may become a substantial sum of money to the municipality;

And Whereas the methods of recovery available under current legislation are expensive and time consuming particularly that each claim may be of a relatively small amount.

That this Council petition the Association of Manitoba Municipalities to lobby the government to enact legislation to restrict the re-issuance of personal or vehicle licenses until restitution for such liabilities is completed.  
Carried.

Your worship:

The Waterworks Committee respectfully submits the following reports:

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 has completed the lift station required to service the area at no cost to the residents.

The revised plan, to reflect the increased costs estimates 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, was approved on January 27, 2003.

The Oak Island Homes Development Agreement provided for the water main and sewage forcemain across Crescent Lake and a sewage pumping station. These costs were to be shared between the developer of Oak Island Homes Development and the residents of Massey Crescent when they receive water and sewer services. However, the City will contribute \$7,573 towards Massey Crescent's share of these costs and collect proportionate shares from the Portage Fair grounds and Golf Course. These costs are outlined in the plan.

The revised local improvement plan estimates per lot are now \$13,868.90, an increase of \$4,087 per lot from the 2002 estimates.

For information, if Towle Construction is awarded the contract, they have offered to install the sewer and water services to each dwelling at no cost to the homeowner. In return, maintenance of all surface restoration on private property would be the responsibility of the homeowner. Each homeowner would be expected to sign an agreement with Towle Construction and the City. The anticipated cost saving to each homeowner is \$2,500 to \$3,000.

Massey Crescent residents were notified of the costs and were given an opportunity to object up to the March 10 Council Meeting if they are not in favor 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 6 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.

## Waterworks Committee

Water & Sewer Service to  
Massey Crescent – Local  
Improvement Plan – By-Law  
03-8182 – 1<sup>st</sup> Reading

RESOLVED THAT the Local Improvement Plan By-Law No. 03-8182 to provide water and sewer services to Massey Crescent be read a first time and forwarded to the Municipal Board.  
Carried.

8<sup>th</sup> Street Watermain Break –  
For Information Only

Council reviewed the Summary of Events for Information Only regarding the 8<sup>th</sup> Street Watermain Break.

WPCF 2002 Year End Report  
– For Information Only

Council reviewed the Water Pollution Control Facility 2002 Year End Report.

### **Transportation Committee**

Your worship:  
The Transportation Committee has nothing to report.

### **Community Services Committee**

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

Request for Facility Rental  
Waiver and Community Event  
Permit for Western Canadian

The Western Canadian Senior Open Fast Pitch Championships are scheduled to be held in Portage la Prairie August 14 – 17, 2003.

Mr. Deschouwer has requested a full facility fee waiver to host the event at the Republic of Manitobah Park as they intend on donating a portion of any proceeds to the Portage Fastball League, the Portage Phillies and the Ad Hoc Ball Diamond Committee.

It is difficult to determine the total facility waiver request at this time as the official game schedule can not be determined until all teams have registered. However, it is anticipated that the facility rental costs would not exceed \$700 based on 68 games. Considering the minimal facility rental fee, it is recommended that the organizing committee be referred to the hosting assistance grant process where the request would be reviewed by those terms and conditions.

Mr. Deschouwer of the Portage Fastball League has also requested the use of the park for the purpose of a beer garden and will, therefore also require Council's approval to obtain a community event permit.

69/03

Moved by: Councillor Tenzzen  
Seconded by: Councillor Brennan

RESOLVED THAT the Council of the City of Portage la Prairie refer the request for a facility rental waiver as presented by the organizing committee of the Western Canadian Senior Open Fast Pitch Championships to the hosting assistance grant process for funding consideration.

AND FURTHER THAT the Council of the City of Portage la Prairie approve the request from Mr. Dale Deschouwer to obtain a community event permit for the Western Canadian Senior Open Fast Pitch Championships to be held at the Republic of Manitobah Park, August 14 – 17, 2003.  
Carried.

Portage Shrine Club's  
Request to Obtain Liquor  
Permit

The Khartum Shriners – Portage Shrine Club will be hosting the Shrine Circus on May 2, 2003 at the Portage Centennial Arena. In previous years, Council has authorized the Portage Shrine Club to obtain a liquor permit for this event.

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. The area will not be open to the public, only to visiting Shriners and will be monitored.

70/03

Moved by: Councillor Tenzzen  
Seconded by: Councillor Brennan

RESOLVED THAT the Council of the City of Portage la Prairie approve the request by Khartum Shriners – Portage Shrine Club to obtain a liquor permit at the Portage Centennial Arena for May 2, 2003.

Carried.

Request for Arena Rental  
Waiver and Community Event  
Permit for Keystone Cup

The 20<sup>th</sup> Annual Western Canadian Junior “B” Championships, also known as the Keystone Cup, is scheduled to be held at the Portage Centennial Arena from April 10 – 13, 2003. Teams representing British Columbia, Alberta, Saskatchewan, Ontario and Manitoba will participate in the tournament.

The St. Claude Knights have requested that Council consider waiving the facility rental fee in part or in whole for the use of the Portage Centennial Arena April 10 – 13, 2003. The hockey championship will take place on the East side and a lounge and display area will be arranged on the West side.

Normally, facility waiver requests can be accommodated through the Hosting Assistance Grant. However, the maximum amount which this event would qualify for is a small percentage compared to their anticipated expenditures. Therefore, in special cases where the request exceeds the maximum grant of \$750 allowable in the hosting assistance grant and where the event presents a substantial benefit to the community, it is brought forward for Council’s consideration.

The regular rate of \$140.21 plus GST was quoted for this event as it would be considered an “Outside Organization” as per the Fees & Charges By-Law 01-8117. An option could be to charge the Junior A Game rate of \$110.68, plus GST. This would result in a total fee of \$6,039.81, including GST for 51 hours of ice use. An approximate total savings of \$1,611.45 or an hourly savings of \$29.53 to the St. Claude Knights from the original quote.

The St. Claude Knights have also requested the use of the West Ice Shed for the purpose of a beer garden. The Manitoba Liquor Control Commission (MLCC) requires authorization from the City of Portage la Prairie, as owners of the facility, to authorize the event as a community event, before they will issue a liquor permit to the organizers.

71/03

Moved by: Councillor Tenszen

Seconded by: Councillor Brennan

RESOLVED THAT the City of Portage la Prairie charge the rental fee of \$110.68 plus GST per hour of ice use for the St. Claude Knights for the purpose of hosting the Keystone Cup at the Portage Centennial Arena April 10 – 13, 2003 and that this event does not qualify for a Hosting Grant.

THAT the Council of the City of Portage la Prairie approve the request from Mr. Kelly Dupasquier of the St. Claude Jr. B Knights to obtain a community event permit for the Keystone Cup to be held in the West Ice Shed at the Portage Centennial Arena from April 10 – 13, 2003.

Carried.

**DEFERRED BUSINESS:**

None

**NEW BUSINESS:**

None

**OLD BUSINESS:**

PDAC Loan – By-Law 03-8185 – 2<sup>nd</sup> & 3<sup>rd</sup> Reading

Council passed a resolution to lend funds to The Portage District Arts Council (PDAC). In order to lend the money, a by-law is required, as per the Municipal Act.

The City of Portage la Prairie will loan the \$80,000 to PDAC out of General Reserve, with repayment terms similar to those of the bank (over 3 years at rates similar to the bank).

A promissory note has been signed by PDAC and accompanies the by-law.

72/03

Moved by: Councillor Quinn

Seconded by: Councillor Robinson

RESOLVED THAT By-Law No. 03-8185 to provide the loan of \$80,000 to

Portage and District Arts Council be given 2<sup>nd</sup> reading.  
Carried.

THAT By-Law No. 03-8185 be given 3<sup>rd</sup> reading finally passed, signed and sealed.  
Carried.

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

**ADJOURNMENT:**

73/03

Moved by: Councillor Brennan

Seconded by: Councillor Keryluk

RESOLVED THAT the meeting be adjourned at 7:12 p.m.  
Carried.

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Mayor

\_\_\_\_\_  
Manager of Administration