

Minutes of a Regular Meeting of Council held in the Council Chambers on Monday, May 12th, 2003 at 6:02p.m.

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

ABSENT: None

Following the by-election on May 7, 2003, Earl J. Porter was sworn in as Councillor.

MINUTES OF MEETING: 107/03 Moved by: Councillor Quinn
Seconded by: Councillor Brennan
RESOLVED THAT the minutes of the regular Council meeting held on April 28, 2003 at City Hall in Portage la Prairie be approved as circulated.
Carried.

HEARINGS:

Request for Variation Addition of Room – Victoria Garrioch, 714 – 1ST St. N.W. Victoria Garrioch appeared in support of her application. There were no objections.

108/03 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 Victoria Garrioch have been heard and the public hearing now be closed.
Carried.

The applicant, Victoria Garrioch, is applying for a variation to the south side yard of the property from the required 1.5 meters (5 feet) to 0.60 meters (2.0 feet) as she wishes to construct an addition onto the house.

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

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

Dean 109/03 Moved by: Councillor Brennan
Seconded by: Councillor Wagner
RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Victoria Garrioch to vary the south side yard from the required 1.5 meters (5 feet) to 0.60 meters (2.0 feet) at the property known as 714-1st Street N.W. which is legally described as pt. of Lot 39, all Lot 40 & pt. of Lot 41, Block 4, Parish Lots 63/64, Parish of Portage la Prairie, subject to the following condition:

1. That a full set of plans, in accordance with the Fire Code and Manitoba Building Code, be provided before a Building Permit is issued.
Carried.

Request for Parking Variation – Tres Unique – 103-3rd Street N.E. The owners, Sharon Morrison and Wendy Perron, were present but did not speak. There were no objections.

110/03 Moved by: Councillor Wagner
Seconded by: Councillor Robinson
RESOLVED THAT all persons wishing to present at the public hearing for the Request for Parking Variation for Tres Unique have been heard and the public hearing now be closed.
Carried.

The applicant, Tres Unique Café & Gift Shop is applying to vary the required number of parking stalls from 9 stalls to 2 stalls. The 2 existing parking stalls are located at the rear of this property.

As per The City of Portage la Prairie Zoning By-law No. 7860, Part 3. 7. 2. and Table 2 in a C2 - Central Commercial district (fringe area) the parking requirements are:

Eating & Drinking places – 1 /every 4 seats or 1/each 4.5 square meter of customer service area, whichever is greater.

Retail Outlets – 1 /46 square meter.

Based on this formula, the Café is to seat 28 – it will require 7 parking stalls, and the Retail area is 101.27 sq. meters, it will require 2 stalls, bringing the total requirement to 9 parking stalls.

Tres Unique has obtained the permission of the Army, Navy and Air Force Veterans in Canada to share the parking facilities of their premises at 25-3rd Street N.E.

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

Dean

111/03

Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Tres Unique Café & Gift shop at the property known as 103-3rd Street N.E. which is legally described as Lots 151/152, Plan 3, Parish Lot 66, Parish of Portage la Prairie to reduce the required number of parking stalls from 9 stalls to 2 stalls, with the following conditions:

1. That the applicant provide the City with detailed renovation plans that meet the requirements of the Fire Code and the Manitoba Building Code, to the sole satisfaction of the City.
2. That the applicant receive the written approval of Manitoba Environment with respect to the operation of the Café and provide a copy to the City in advance of facility occupancy.
3. That the applicant provide the City with a certified copy of the parking agreement with the Army, Navy and Air Force Veterans in Canada with respect to the sharing of their parking facilities.

Carried.

Request for Variation Addition
of Garage – Matthew Gray,
506-1st Street N.W.

112/03

No one appeared in support or opposition to this request.

Moved by: Councillor Wagner
Seconded by: Councillor Brennan

RESOLVED THAT all persons wishing to present at the public hearing for the Request for Variation for Matthew Gray have been heard and the public hearing now be closed.

Carried.

The applicant, Matthew Gray, is applying for two variations for the construction of an attached garage.

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

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

Dean

113/03

Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Matthew Gray to vary the rear yard from the required

25 feet (7.5 meters) to 11 feet (3.30 meters), and the side yard from the required 11 feet (3.30 meters) to 5 feet (1.5 meters), at the property known as 506 - 1st Street N.W. which is legally described as Lots 749/750, Plan 66, River Lot 64, Parish of Portage la Prairie, subject to the following conditions:

1. That a full set of plans, in accordance with the Fire Code and the Manitoba Building Code, be provided before a Building Permit is issued.
 2. That the entrance/exit to this garage only be permitted from the public lane located on the east side of the property.
- Carried.

Gary Bergen, 505 Saint George Avenue, spoke on behalf of the petitioners to allow the parking lot to remain unpaved.

Tom Henry, Supervisor of Operations for the Portage School Division, advised Council there are no funds available for the paving.

Ken Lyons, a resident on Strathcona Road, opposed the variation citing reduced values of homes on the street.

Gilles Vielfaure, also a resident on Strathcona Road, also opposed the variation. He did acknowledge the safety issues.

A letter from Danny Brooks, 9 Strathcona Road, opposing the variation, was read into the record.

Moved by: Councillor Keryluk

Seconded by: Councillor Brennan

RESOLVED THAT all persons wishing to present at the public hearing for the Request for Parking Variation for P.C.I. Portage School Division have been heard and the public hearing now be closed.

Carried.

The applicant, Portage la Prairie School Division is applying to have a gravel surface on the expansion of their parking lot on 4th Street S.W. The Portage Collegiate Institute parking lot is an existing non-conforming use which presently has a gravel surface.

The City of Portage la Prairie Zoning By-law No. 7680, Part 3, Section 7 3)f) states: "The surface of the accessory off-street parking area, loading area and the access driveways thereto shall be surfaced with either asphalt, concrete or paving bricks in all other than "R1" and "R2" zoning districts."

The Portage School Division had previously applied for this variation in September of 2002. The hearing on this matter was held on November 12th, 2002, and at that time Council denied the variation request.

According to City By-law No. 7680 the required parking stalls are based on 5/classroom. As per the floor plan provided by the Portage School Division they presently have 22 classrooms at the Collegiate, which would make a total requirement of 110 parking stalls required for the Collegiate.

Portage Collegiate Institute presently has 58 parking stalls on their property. They would be adding 23 more stalls according to the site plan provided by the Portage School Division.

The application has been circulated to the other City Departments, with the following comments being received:

The Manager of Building Inspections recommends that this variation be denied approval since it would set a precedent for other facilities who may wish not to pave their parking areas. All other similar requests with regard to waiving the

Request for Parking Variation
– P.C.I. Portage School
Division

Dean

114/03

paving requirement that have been before Council have been denied.

In recent years, organizations such as the Gospel Hall, the Roman Catholic Church and Alliance Church/Westpark School (all in EI zoning districts) have been made to comply with the Zoning By-law at their cost.

The Director of Operations has indicated that while the safety concerns in the citizens petition identified (vehicle movements in and out of driveways and access constraints causing pedestrians to walk between parked vehicles) are valid, they do not absolve the applicant from the requirements of the by-law. Settling for a lower standard than required in the By-law defeats the purpose of the By-law, and can only lead to the adoption of a lower standard for all similar projects in the future. We have received complaints about the dust from the P.C.I. parking lot in the past, and we would not see this changing in the future if an expanded gravel parking lot is allowed. Gravel parking lots lead to greater wear and tear on adjacent paved streets, and therefore, higher maintenance costs.

This property is in an EI – Educational & Institutional district.

Public notices were also sent to all property owners within a 100 meters (330 foot) radius. At this time we are in receipt of a Petition from concerned neighbors and citizens in support of allowing this variation request.

It has been the administrative practice to support the policies in the Zoning By-law that are currently approved by Council, and based on this we would recommend denying this application.

Dean

115/03

Moved by: Councillor Brennan

Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie deny the variation request of Portage School Division at the property known as 35 - 4th Street S.W. which is legally described as Lots 1/29, Plan No. 127 & Lots 1/20, Block 2, Plan 367, River Lot 62, Parish of Portage la Prairie.
Carried.

Request for Variation –
Johann & Marianne
Breckman, 5 Astbury Bay

Johann Breckman appeared in support of his variation. There were no objections.

116/03

Moved by: Councillor Wagner

Seconded by: Councillor Brennan

RESOLVED THAT all persons wishing to present at the public hearing for the Request for Variation for Johann & Marianne have been heard and the public hearing now be closed.
Carried.

This request for variation is to allow the width of the Breckman's driveway to be extended from the required 3.6 meters (12 feet) to 5.3 meters (17.65 feet).

The Zoning by-law states that the maximum allowed width of a property having a single car garage is 3.6 metres (12 feet) and the Breckman's wish to have this varied to allow them to park a second vehicle on their property on the extended driveway area.

This property is in an R1 – Single-family dwelling district.

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

Dean

117/03

Moved by: Councillor Brennan

Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the variation request of Johann & Marianne Breckman to vary the width of the driveway from the required 3.6 meters (12 feet) to 5.3 meters (17.65 feet) at

the property known as 5 Astbury Bay, which is legally described as Lot 2, Block 3, Plan 1721, PLTO, in River Lots 90 & 94, Parish of Portage la Prairie. Carried.

No one appeared in support or opposition to this variation request.

Moved by: Councillor Wagner
Seconded by: Councillor Brennan

RESOLVED THAT all persons wishing to present at the public hearing for the Request for Variation for Darryl Tully have been heard and the public hearing now be closed.

Carried.

The applicants, Darryl & Cheryl Tully, are applying for a side yard variation and a rear yard variation to remove the existing carport and construct an attached garage and breezeway.

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

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

Request for Variation –
Darryl Tully – 816 9th St.
N.W.

118/03

Dean

119/03

Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the variation requests of Darryl & Cheryl Tully to vary the side yard from the required 1.5 meters (5 feet) to 0.60 meters (2.0 feet) AND to vary the rear yard from the required 7.5 meters (25 feet) to 5.67 meters (18.87 feet) at the property known as 816 – 9th Street N.W. which is legally described as Lots 14 & 15, Block 15, Plan 100, P.L.T.O., in River Lot 60, Parish of Portage la Prairie, subject to the following condition:

1. That a full set of plans, in accordance with the Fire Code and the Manitoba Building Code, be provided before a Building Permit is issued.

Carried.

Request for Variation –
Lester & Sharon Kroeker –
434 Royal Road N.

120/03

No one appeared in support or opposition to this variation request.

Moved by: Councillor Wagner
Seconded by: Councillor Brennan

RESOLVED THAT all persons wishing to present at the public hearing for the Request for Variation for Lester & Sharon Kroeker have been heard and the public hearing now be closed.

Carried.

The applicants, Lester and Sharon Kroeker are applying for three variations for the construction of a double car garage.

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

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

Dean

121/03

Moved by: Councillor Brennan
Seconded by: Councillor Wagner

RESOLVED THAT the Council of the City of Portage la Prairie approve the variation requests of Lester and Sharon Kroeker as follows:

1. Distance from house to proposed double car garage from the required 1.8 meters (6 feet) to 1.2 meters (4 feet);

2. Distance for the side yard of the garage from the required 1.5 meters (5 feet) to 0.90 meters (3 feet); and

3. Front yard from the required 7.5 meters (25 feet) to 5.24 meters (17.45 feet) as it is proposed to remove the existing deck and to extend the present kitchen to make it flush with the existing bedroom.

at the property known as 434 Royal Road North, which is legally described as Lots 675/676, Plan 66, Parish Lot 64, Parish of Portage la Prairie, subject to the following condition:

1. That a full set of plans, in accordance with the Fire Code and the Manitoba Building Code, be provided before a Building Permit is issued.
Carried.

DELEGATIONS:

Mr. Thomas Fiddler spoke to Council in defense of his claim for auto repairs which he felt was caused by the City's road condition. Council discussed this matter in camera.

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:

Unpaid Water & Sewer to Taxes for April, 2003 – By-Law 03-8178 – 1st Reading

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

Nettie

122/03

Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED THAT By-Law 03-8178 being a by-law to authorize unpaid water and sewer charges be added to taxes, be read a first time.
Carried.

Adding Unpaid Fees to Taxes – By-Law 03-8188 – 1st Reading

In order to collect unpaid charges and fees for unpaid solid waste collection, noxious weed accounts, false alarm fines, dog fines and waste collection tags, it is the City's practice to add sums of money owing to the City of Portage la Prairie for these unpaid accounts to the Collector's Roll.

Nettie

123/03

Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED THAT By-Law No. 03-8188 being a by-law to authorize unpaid charges and fees to be added to taxes, be read a first time.
Carried.

Tax Levy By-Law 03-8187 – 2nd & 3rd Reading

The Tax Levy By-Law No. 03-8187 was given first reading on April 28, 2003.

Nettie

124/03

Moved by: Councillor Quinn
Seconded by: Councillor Robinson
RESOLVED THAT the Tax Levy By-Law No. 03-8187 be now read a second time.
Carried.

THAT By-Law No. 03-8187 be now read a third time, finally passed, signed and sealed.
Carried.

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

2003 Tax Inserts

The City prepares a tax newsletter each year to accompany the tax statement. In a previous meeting with School Board representatives, City Council representatives and RM Council representatives, there was discussion on the possibility of including a separate insert from the school board.

Council instructed that the School Division Tax Inserts be included in the property tax statement package at no cost to the School Division.

Maintenance & Occupancy
Amendment – By-Law 03-
8189 – 1st Reading

The new Maintenance and Occupancy By-Law came into force on May 28, 2002.

In discussion with the City Solicitor regarding enforcement of the by-law, it was discovered that the by-law lacked a clause to allow the City some discretion in effecting service of the Notices of Violation and Orders on defaulting owners or occupations. The City Solicitor has provided a new clause to be added to the by-law, listing various methods of serving any Notice of Violation or Order issued under the by-law.

Nettie

125/03

Moved by: Councillor Quinn
Seconded by: Councillor Robinson

RESOLVED THAT By-Law No. 03-8189 being a by-law to amend the Maintenance and Occupancy By-Law No. 02-8144 regarding enforcement of the by-law, be now introduced and read a first time.
Carried.

Monthly Activity Reports

Council reviewed the monthly activity reports for March, 2003.

**City Planning & Economic
Development Committee**

Your worship:
The City Planning & Economic Development Committee has nothing to report.

Public Safety Committee

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

RCMP Monthly Activity
Report – For Information Only

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

CRIME AGAINST PERSONS OFFENCES

The previous decline indicated to Council in February remains at 20% year to date. In that respect the RCMP have noted a 70% reduction in sexual assault and a 16% reduction in assault Level 1. Assaults are being cleared at 68% in comparison to 45% in the previous year.

CRIME AGAINST PROPERTY

An 8% increase was noted in crime against property for the month of March. However we are still seeing a 10% decrease to date. It is noteworthy that there continues to be a 39% reduction in break and enter into residences. Theft of motor vehicles are down by 25%. Shoplifting offences remain high as businesses continue to report them as they occur.

Other Criminal Code offences are also indicating a 21% decrease.

Seven (7) curfew violations were issued in March. A proactive enforcement continues in that respect with 28 curfew violations being issued at the time of this report for the current year.

A dedicated one member Bike Patrol was set up for the upcoming summer months. Constable Vachon has undertaken to take on this task starting the May long weekend and to end after the September long weekend.

Waterworks Committee

Your worship:
The Waterworks Committee respectfully reports the following:

Request for Funding –
Manitoba Water Services
Board

A study of the City's water distribution system was completed in 1999 with the financial assistance of the Manitoba Water Services Board. The study highlighted a number of deficiencies with respect to water pressure in the water distribution system and available fire flows in several areas of the City. It

recommended several upgrades including a new pump station at the Water Treatment Plant, a new south water supply main, several upgrades to various pipes throughout the City, and a long term upgrading strategy for the development of the City.

The next phase of the water distribution system upgrading program includes the upsizing of the watermains along Queen Avenue, near the Hospital, and

along 7th Avenue, near La Verendrye School. Council has committed funds for these watermains with the expectation of receiving \$30,000 from the MWSB.

Kelly	126/03	Moved by: Councillor Robinson Seconded by: Councillor Keryluk RESOLVED THAT the City of Portage la Prairie apply to the Manitoba Water Services Board for funding for the upgrading of the watermains on Queen Avenue and 7 th Avenue. Carried.
Southport Sewage Request		Council reviewed this report in camera.
Transportation Committee		Your worship: The Transportation Committee respectfully submits the following:
Complaints of Litter		Councillor Keryluk advised he has received numerous complaints about litter thrown from vehicles en route to the landfill. He stressed to the public to make sure the load is properly secured. Councillor Keryluk noted that he is prepared to bring in changes to the by-law.
West Nile Watch		Councillor Keryluk provided the public with the telephone number to call if they find any dead birds.
Mid City Concrete		Council noted the messy condition of the Mid City Concrete property. Fire Chief Nodrick advised he is working on this already.
Insurance Claim		Council discussed this matter in camera.
Kelly	127/03	Moved by: Councillor Keryluk Seconded by: Councillor Wagner THAT Thomas Fiddler's request for coverage of his vehicle damages be denied. Carried.
Community Services Committee		Your worship: The Community Services Committee respectfully submits the following reports.
Arthur Meighen High School 2003 Safe Grad		Safe Grad is a National Preventative Program supported by the Police and Education Officials across Canada intended to prevent accidental deaths during graduation activities. Portage Collegiate Institute has used the Portage Centennial Arena for Safe Grad for the past eleven years and now Arthur Meighen High School is looking to hold their Safe Grad in the arena as well. The request to smoke within the facility assists the Safe Grad Committee in controlling the participants and prevent incidents, which may occur if the Grads were to leave the building to smoke. Provincial Legislation and Municipal Bylaw #7321 does permit Council to allow smoking in public facilities, and Council has given permission to the Portage Collegiate Institute Safe Grad Committee in the past. As Council has permitted the Portage Collegiate Institute Safe Grad Committee to allow smoking in the West Ice Shed, it is fair to also permit the Arthur Meighen High School Safe Grad Committee the same privilege for this year.

However, Council requested that in the future, the request to waive the smoking ban in City owned facilities not be granted for concerns of public health. Over the past year, special events held in the Portage Centennial Arena in particular have received criticism from the public regarding the allowance of smoking in a “smoke-free” building. Signs prohibiting smoking are displayed year round in the arena and the policy is adhered to in all other circumstances. Careful consideration should be addressed when future no-smoking waivers are requested as the general public has expected a smoke free City operated facility.

Dean 128/03

Moved by: Councillor Porter
Seconded by: Councillor Brennan

RESOLVED THAT the Council of the City of Portage la Prairie permit the Arthur Meighen High School Safe Grad Committee to obtain an Occasional Permit for the Portage Centennial Arena on Saturday, June 21, 2003, for the purpose of hosting their Safe Grad Event.

THAT the Council of the City of Portage la Prairie permit smoking in the West Arena of the Portage Centennial Arena for the Arthur Meighen High School Safe Grad in accordance with the City Bylaw #7321.
Carried.

Beverage Service Agreement
– Awarding Request for
Proposal

The City of Portage la Prairie’s existing beverage services agreement with the Pepsi Cola Bottling Group at the Portage Centennial Arena will end at the end of April, 2003. The five-year agreement included the lease of the existing score board/clock in the East Ice Shed, and a \$5,000 annual marketing grant for arena improvements in exchange for the exclusive right to provide beverage services in the arena.

The request for proposals (RFP) was advertised publicly February 28, 2003 and a copy of the proposal requirements directly sent to both the Coca-Cola Bottling Company and the Pepsi Bottling Group. The RFP required beverage services to the Portage Centennial Arena and, for the first time, to the Republic of Manitobah Park and Splash Island.

Two proposals were submitted for consideration. The Pepsi Bottling Group provided a proposal that included a total value of \$89,000 over a five-year term. The Coca-Cola Bottling Company provided a proposal that included a total value of \$102,400 over a five-year term.

Coca-Cola’s proposal combined equipment and cash contribution. The City would own the West and East Ice Shed clock/scoreboards, the Splash Island electronic message board and the electronic baseball scoreboard at Republic of Manitobah Park after the five-year term.

Dean 129/03

Moved by: Councillor Porter
Seconded by: Councillor Brennan

RESOLVED THAT the Council of the City of Portage la Prairie award the Provision of Beverage Services at the Centennial Arena, Splash Island Water Park and the Republic of Manitobah Park to Coca-Cola Bottling Company as submitted for a five-year term commencing May 1, 2003 and ending April 30, 2008 and further that Council authorize Administration to prepare an agreement for the City of Portage la Prairie and Coca-Cola Bottling Company for the provision of beverage services to the sole satisfaction of the City.
Carried.

DEFERRED BUSINESS:

None

NEW BUSINESS:

Insurance Requirements for
Occasional Permit Functions
in City Facilities

The City of Portage la Prairie’s general liability insurance coverage under the Municipal General Insurance Program is for a limit of \$20,000,000 (twenty million dollars) and includes coverage for Host Liquor Liability. A letter from Hayhurst Elias Dudek Inc. (HED), the City’s insurance provider, confirmed

that the liability insurance would extend to cover the City respecting the serving of alcohol in any City owned facility.

HED further explains that in the event where a host organization is sued for injury or damages resulting from an event regardless of the presence of alcohol that any judgment could/may fall upon the City. Therefore, HED strongly recommends that any organizing group hosting an event on City property be required to provide proof of liability insurance, especially should the event include alcohol.

The issue for Council then becomes at what level of risk is the City of Portage la Prairie prepared to accept when incorporated or unincorporated entities wish to serve alcohol on public properties.

HED and the MLCC recommend that municipalities require third party liability insurance as stated in "Municipal Alcohol Policy" (MAP) document prepared by HED, the Addictions Foundation of Manitoba and the MLCC. MAP recommends \$2,000,000 (two million dollars) for individuals or groups sponsoring an Occasional Permit Function for events exceeding 150 persons and that the municipality is named as an additional insured. The policy further suggests that municipalities may consider insurance exemptions for individuals holding smaller functions, although insurance coverage is strongly recommended to protect the permit holder from any resulting liability claims.

Our insurance carrier recommends that the City enforce the requirement of organizations to provide at least two million dollars third party liability coverage naming the City as co-insured. In consultation with some of the users of the facility that would be required to cover the additional costs of insurance, this may limit use of our athletic fields as beer gardens are a source of revenue. It is understood that the additional cost may place limitations on the potential to fundraise, or that it may even prohibit organizing groups from hosting their event. That being said however, the choice to serve alcohol at events lies with the organization and not the City. As a result of this, the cost of the placing the additional risk to the public should likely be with the organizing body and not the City. If an organization wishes to have alcohol as part of their event, the cost of insurance should become a cost of doing business since it lessens the risk to the City, representing its constituents. In the case where the organization is registered with a governing sport body, the sport component of the event is normally covered by their liability insurance, however, the beer garden component is usually not covered. Again, it becomes a choice of the organizing group whether or not to include the serving of alcohol at their event.

Based on this, it is recommended that Council accept the MAP policy guideline that states that for individuals or groups sponsoring an occasional permit function for events exceeding 150 persons at City owned or operated facilities, proof of a minimum level of \$2,000,000 (two million dollars) Comprehensive General Liability insurance coverage with the City of Portage la Prairie named as a co-insured must be provided. If the event is determined to be fewer than 150 participants, at the sole discretion of the City, then the City may consider an insurance exemption for the individual or organizing group, although it shall be strongly recommended to protect the permit holder from liability claims.

By using the 150 person threshold as identified by our insurer, the City is satisfying their concerns while trying to maintain balance in terms of cost to those smaller functions that wish to use City facilities and serve alcohol.

Dean

130/03

Moved by: Councillor Porter

Seconded by: Councillor Brennan

THAT the Council of the City of Portage la Prairie authorize Administration to require \$2,000,000 (two million dollar) public liability insurance, naming the City as co-insured from individuals or groups requesting the use of City owned facilities for an Occasional Permit Function exceeding 150 people, at the sole discretion of the City as part of the standard City facility use agreement.

AND FURTHERMORE, that the Council of the City of Portage la Prairie authorize Administration to consider insurance exemptions for smaller occasional use functions of, less than 150 participants, at the sole discretion of the City.
Carried.

Gladstone Whips Community
Event Permit Request

The Gladstone Whips Fastball Club (GWFC) has requested a Community Event Permit for the Republic of Manitobah Park on July 12 & 13, 2003 for the purpose of a beer garden to be held during their Fastpitch Tournament with teams visiting from Regina, Saskatoon, Fargo, Dryden, Devils Lake and the Portage and area.

The Manitoba Liquor Control Commission (MLCC) requires authorization from the City of Portage la Prairie, as owners of the facility, before issuing a liquor permit to the organizers. As the request is for a beer garden, which is open to participants and the general public, the MLCC requires that the City of Portage la Prairie approve a community event permit for the event.

A draft facility use agreement has been presented to the organizers for their review, which requests a security plan.

Dean

131/03

Moved by: Councillor Porter

Seconded by: Councillor Brennan

THAT the Council of the City of Portage la Prairie approve the request from the Gladstone Whips Fastball Club to obtain a community event permit for their Fastpitch Tournament to be held at the Republic of Manitobah Park July 12 & 13, 2003.

Carried.

OLD BUSINESS:

None

ADJOURNMENT:

The meeting be adjourned at 7:40 p.m.

Carried.

Mayor

Manager of Administration